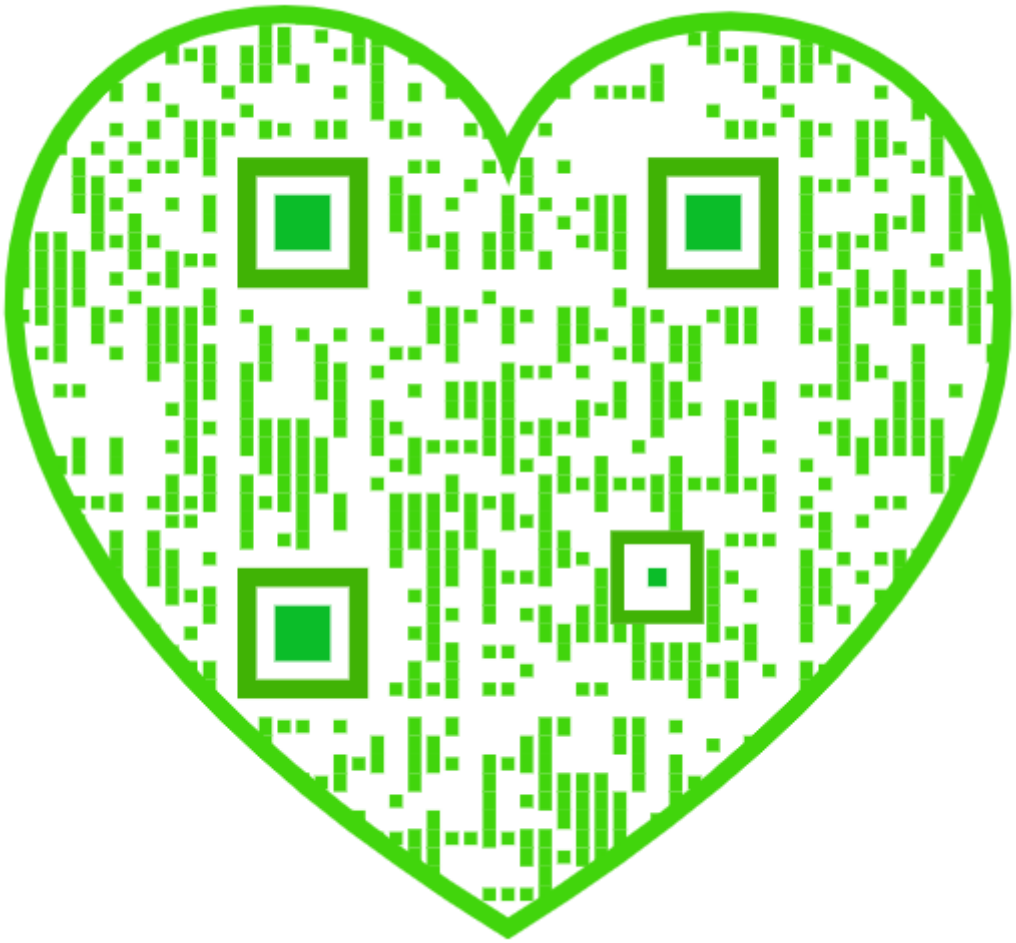

THE RISE

OF

THE REPUBLIC

OF

THE UNITED STATES.

BY

RICHARD FROTHINGHAM.

BOSTON:
LITTLE, BROWN, AND COMPANY.
1872.

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TO

MY WIFE,

I DEDICATE THIS WORK.

PREFACE.

THIRTY-FIVE years ago I prepared, *con amore*, a series of papers on "The History of Charlestown," my native place, designed for the local newspaper; but they were published in pamphlet form. The first number appeared in 1845, and six additional numbers brought the history down to the period of the battle of Bunker Hill.

In the same spirit I then made collections relative to the opening scenes of the war of the Revolution; and, as there was no complete narrative of these events, I published in 1849 the "History of the Siege of Boston, and of the Battles of Lexington, Concord, and Bunker Hill."

In these researches I became familiar with the political career of Joseph Warren, and began to frame a narrative of the transactions in which he figured as a political leader; and this was the occasion of the preparation of "The Life and Times of Joseph Warren," published in 1865.

I also furnished articles more or less elaborate to a Boston daily newspaper, on points of American history, as an occasional contributor from 1838 to 1852,

and for the succeeding thirteen years as one of the proprietors and editors. An article on the Declaration of Independence, dealing with principles, printed on the Fourth of July, 1842, — another, on the succeeding anniversary relating facts, — and a third on the 2d of March, 1854, on the first covenant of the country, — fill several columns, and would make a considerable pamphlet. These papers, to say nothing of others, relate to the formative process of the nation.[1]

These circumstances, with others not necessary to be stated, led me to historical research having in view the one clear and distinct object of tracing the development of the national life; a theme separate from the ordinary course of civil and military transactions, and requiring events to be selected from their relation to principles, and to be traced to their causes. The theme, as I went on, seemed to grow beyond my reach. I well knew that it was only by patient labor, that I could hope to justify the attempt to deal with it. I tried to form in my mind a picture of the many streams that met and united in the current which ter-

[1] It is said that there has not been a single writer "who has attempted to distinguish between the History of the United States and the Political Literature of the country; that is, in giving an account of the facts, of a public or private nature, that controlled the events of any era or epoch, almost all have altogether failed to look to the inner influence, so to speak, of the writings, the proceedings of public bodies, the state papers, that in each case preceded and moulded and accompanied every important occurrence of the different phases of our national existence. They have confined their attention too much to the *effect* of the development of both the political and social progress of our earlier existence, and have paid too little heed to the causes of the gradual expansion of political opinions and the origin of our steady and successful advance to independence and constitutional government." — *The Penn Monthly, for August*, 1871, vol. ii. 379.

minated in the broad expanse of a nation. I also endeavored to form an idea of the spirit of the men of the past, from their own words uttered in the midst of their labors, and wet as it were with the sweat of their brows,—of the conservatives who tried to stay the current, as well as of the men of progress who recognized it and were borne onward by it. Yet the attainment of the ideal is but the commencement of the work. The difficulty is to make the page alive with the moving waters. I feel conscious that this is but imperfectly done.

I am indebted to Rev. EDWIN H. CHAPIN, D.D., for files of Philadelphia newspapers during the Revolutionary period; and to Hon. CHARLES H. WARREN, for the original letter of John Adams, printed in the Appendix. For valuable aid in preparing the work for the press, I express grateful acknowledgments to WILLIAM F. POOLE, Esq., Rev. CHANDLER ROBBINS, D.D., and Rev. ANDREW P. PEABODY, D.D.

RICHARD FROTHINGHAM.

CHARLESTOWN, MASS.,
Sept. 12, 1872.

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THE RISE

OF THE

REPUBLIC OF THE UNITED STATES.

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CHAPTER I.

INTRODUCTION. — IDEAS OF LOCAL SELF-GOVERNMENT AND OF NATIONAL UNION.

I PURPOSE in these pages to sketch the political history of the Rise of the Republic of the United States. I shall endeavor to frame a narrative of events, with their causes and relations, which derive interest and importance from their connection with the formation and direction of public opinion, the development of fundamental principles, and the embodiment of these principles into institutions and laws. I shall aim to show how the European emigrant, imbued with the spirit of a new civilization, organized self-governing communities, and to follow the stages of their growth into a Union. I shall then trace the origin and rise of a sentiment of nationality, and the effort by which it became embodied in the Declaration of Independence, which was the first covenant of our country; and in the Federal Constitution, which is the supreme law of the land.

The thirteen colonies, destined to become the United States, were planted on that portion of the territory of North America which lies between the Alleghany Mountains and the Atlantic coast. This region, of a mean breadth of

about one hundred miles, and nine hundred miles in length, is characterized as a long ridge of rock and sand, presenting obstacles, rather than offering temptations, to the husbandman. It had, however, no wastes like the deserts of Africa, and no impassable barriers between the north and the south, while parts of it were enriched by nature with the almost luxurious fruitfulness of the torrid zone. Its coasts were admirably adapted to foster the growth of a commercial marine; and its long, wide, and deep rivers invited intercommunication. To the rear of this region was the valley of the Mississippi, "the most magnificent dwelling-place prepared by God for man's abode."[1] The whole continent seemed to be fashioned by Providence for the uses of a great nation.[2]

At the period of the formation of the Republic, pioneers had penetrated the forests beyond the Atlantic slope, and had commenced settlements on the banks of the Ohio and the Mississippi Rivers; but the growth of population and wealth in the vast valley between the Alleghanies and the Rocky Mountains, and the extension of the national domain onward to the Pacific Ocean, have taken place mainly in the nineteenth century.[3] The original limits of the United States embraced an area of about eight hundred thousand square miles. Additions of territory extended the bounda-

[1] De Tocqueville, Democracy in America, i. 22. Bowen's edition.

[2] De Tocqueville, in chap. i. of his "Democracy in America," in dwelling on the physical characteristics of the continent, says, p. 24, that North America seemed created be the domain of intelligence. It is urged in No. 2 of the "Federalist" (1787), that the one, connected, fertile, wide-spreading country indicated the design of Providence that it should be under one political sovereignty. The thought was common in the newspapers from 1765 to 1775. Franklin (Sparks's Works of Franklin, vii. 334) wrote, in 1766, to Lord Kames, "America, an immense territory, favored by nature with all advantages of climate, soils, great navigable rivers and lakes, &c, must become a great country, populous and mighty."

[3] Gallagher (Address before the Ohio Hist Soc., cited by Webster, Works, ii. 607) states, that, prior to the year 1800, eight or ten keel-boats, of about twenty-five tons each, performed all the carrying trade between Cincinnati and Pittsburg. The first Government vessel appeared on Lake Erie in 1802; the first steamboat was launched at Pittsburg in 1811; the first on Lake Michigan in 1826; and the first appeared at Chicago in 1832.

ries, until, on the east with an Atlantic front looking on Europe, and on the west with a Pacific coast stretching towards Asia, they have become as broad as the continent, and hence have reached the ideal of the men of the Revolutionary age; but they are yet bounded on the north by the British Possessions, and on the south by Mexico and the Gulf which bears its name. They now embrace an area of three million four hundred and sixty-six thousand square miles.[1] The population has increased from about two millions and a half, at the period of the Revolution, to thirty-nine millions; and, although society everywhere presented on its surface the aspect of development into the form of distinct communities or colonies, and independent States, in which the people of each were units, yet beneath this diversity are ever found affinities of race, language, religion, and, more than all, of political ideas and institutions, and common memories, which form the groundwork of a powerful nationality.[2] This element of Union has met triumphantly every trial. Its greatest crisis by far was the late appeal in the only tribunal having full jurisdiction between

[1] The area of the United States was estimated in 1783 at 820,680 square miles; in 1854, at 2,936,166; in 1868, at about 3,466,000. The following are the statistics of the area: —

	Square Miles
Original limits of the Thirteen States	820,680
Louisiana, purchased of France, in 1803, for $15,000,000	899,579
Florida, purchased of Spain, in 1809, for $3,000,000	66,900
Territory confirmed by the Oregon Treaty in 1842 and 1846	308,052
Texas, annexed in 1846 (Texas debt), $7,500,000	318,000
New Mexico and California in 1847 (cost of the war), $15,000,000	522,955
Arizona, purchased of Mexico, in 1854, for $10,000,000	30,000
Alaska, purchased of Russia, in 1867, for $7,200,000	500,000
	3,466,166

The statistics of the area, with the exception of those of Arizona and Alaska, are taken from the Compendium of the Census of 1850. Gibbon, distrusting the authority he cites (vol. i. 164), gives the area of the Roman Empire at 1,600,000 square miles.

[2] Mill (Considerations on Representative Government, p. 308), in remarking on the causes of a feeling of nationality, says, "The strongest of all is identity of political antecedents, the possession of a national history, and consequent community of recollections.

nations and fragments of nations, the *ultima ratio regum*,— the tribunal of force. The judgment then rendered,[1] after a field of war unparalleled in the annals of domestic strife, is, that these States and communities are associated in a bond of union that is indissoluble; that the supreme law of the land ordained in the Constitution is paramount; that the Government, acting under this law, has the right and power to vindicate its authority by force; and that itself is the judge of the nature and extent of its own powers. This nation has in its keeping "the last word in human political institutions," — the Republican form of Government.[2]

The vast region which the flag of the United States protects was, two centuries and a half ago, the roaming ground of tribes of Indians. They presented everywhere the copper-colored complexion and common traits of character. They were cold, stoical, and melancholy; mild and hospitable when at peace, ferocious and treacherous when at war; children of the forest, living in the hunter stage of civilization. They transmit no story of the play of their feelings in the quiet of domestic life, or in the passion and the storm of war. They were peoples without annals. They had manners rather than laws.[3] They exhibited, from one extremity to the other of the territory now the United States, the same melancholy spectacle of the absence of culture, progress, and aspiration. Neither the minute nor the grand in nature incited them to study her laws or to employ her

[1] Letter of Hon. Isaac F. Redfield, Sept 30, 1865.

[2] Draper, in remarking on the late civil war (Civil Policy in America, p. 85), says, "The history of the world cannot furnish a more splendid example of unwavering fortitude, unshrinking self-sacrifice, in vindication of national life;" and (p. 239) American history illustrates the political force of the idea, "that there shall exist on this continent one Republic, great and indivisible." In the volume of Essays, entitled "International Policy" (London, 1866), it is said, p. 41, "Republican government, with all its noble associations and inherent advantages, is, as we believe, the last word in human political institutions. Without any need for impatience, Europe is moving towards it."

[3] Montesquieu, book xviii. chap. 18.

forces. The implements they used were made of bones and stone instead of iron and steel. Neither the exuberance of the soil, nor the magnificence of the rivers, nor the influence of climate, nor the geographical conditions that stimulate commerce, roused in them the capacity to develop the resources of this splendid country; and it is a just inference, that their successive generations passed away with hardly more heed to any divine command to subdue and replenish the earth than is evinced in the falling of the autumnal leaves. The wonderful riches of the land which they pompously called their own were an untouched treasury. It was virtually a waste, awaiting, in the order of Providence, the magic influence of an incoming race, imbued with the spirit of a new civilization.[1]

The period referred to was an epoch in which there had been a providential preparation for great events in the Old World. It was an era of wonderful discovery in the heavens and the earth.[2] It was also the period of the Reformation. This, in its essence, was the assertion of the principle of individuality, or of true spiritual freedom;[3] and in the beginning, not by Protestants alone, of whom Luther was the great exponent, but by Catholics also, represented in the polished and profound Reuchlin.[4] Though first occupied with subjects not connected with political speculation, yet it was natural and inevitable, that inquiry should widen out from the realm of the Church into that of the State. Then

[1] Guyot (Earth and Man, p. 217) says of the Indian, that the exuberance of the soil has never been of value to him, and that he never ascended to the rank of the pastoral man. De Tocqueville (Democracy in America, i. 29) states of the country, "It may be justly said, at the time of its discovery by Europeans, to have formed one great desert. The Indians occupied without possessing it."

[2] Humboldt (Cosmos, vol. ii. 681) says, "The period of the greatest discoveries in space over the surface of our planet was immediately succeeded by the revelations of the telescope, through which man may be said to have taken possession of a considerable portion of the heavens."

[3] Bryce, Holy Roman Empire, 359.

[4] Frederick Schlegel (Lectures on Modern History, 162) considers Reuchlin as the profoundest philosopher of his age, and one of the originators of the Reformation.

a fresh impetus was given to that transformation of society, which began when Christianity — the basis of the good, permanent, and progressive in modern civilization — first appeared in the world. At that time, social order rested on the assumed natural inequality of men. The individual was regarded as of value only as he formed a part of the political fabric, and was able to contribute to its uses, as though it were the end of his being to aggrandize the State.[1] This was the pagan idea of man. The wisest philosophers of antiquity could not rise above it. Its influence imbued the pagan world. The State regarded as of paramount importance, not the man, but the citizen whose physical and intellectual forces it absorbed. If this tended to foster lofty civic virtues and splendid individual culture in the classes whom the State selected as the recipients of its favors, it bore hard on those whom the State virtually ignored, — on laboring men, mechanics, the poor, captives in war, slaves, and woman. This low view of man was exerting its full influence when Rome was at the height of its power and glory. Christianity then appeared with its central doctrine, that man was created in the Divine image, and destined for immortality; pronouncing, that, in the eye of God, all men are equal. This asserted for the individual an independent value. It occasioned the great inference, that man is superior to the State, which ought to be fashioned for his use. This was the advent of a new spirit and a new power in the world. The struggle between the pagan and Christian elements was severe. In four centuries, civil society was transformed from the pagan basis to that of Christianity.[2] But, long after Rome had crumbled,

[1] Draper (Intellectual Development in Europe, 198) remarks, that "Rome never considered man as an individual, but only as a thing." He says (117), "Plato insists, that men are to be considered, not as men, but as elements of the State, — a perfect subject, differing from a slave only in this, that he has the State for his master."

[2] Essai Historique sur la Société Civile dans le Monde Romain et sur sa Transformation par le Christianisme, par C. Schmidt. Strasbourg, 1853. The

the influence of Paganism, under various forms, continued to operate; and especially the idea, that man was made for the State, the office of which, or of a divine right vested in one, or in a privileged few, was to fashion the thought and control the action of the many. Its embodiment in arbitrary power, both in ecclesiastical and political affairs, continued to oppress and benumb the human intellect, until the Reformation roused a spirit of activity in the bosom of the Church.

The new life thus started in the domain of religion soon communicated itself to other provinces. The new powers then called into exercise reached forth to other and wider fields. The horizon was expanded in every direction; and, as inquiry extended, whatever bore on civil society, its constitution and improvement, became the subject of universal attention.[1] There then rose, above the low level of a corrupt political world, a class of thinkers who grasped the idea that the State ought to exist for man; that justice, protection, and the common good, ought to be the aim of government. George Buchanan, of Scotland, of noble personal character, renowned for profound learning, and of large capacity for affairs of state, in his "De Jure Regni," held that kings derived their power from the people, who had an inherent right to reclaim the power which they dele-

statements in this paragraph relating to Paganism and Christianity are made on this authority. This work is divided into three parts or books. Book i. is entitled "La Société Civile Païenne." Its presents an elaborate view of the *morale* of ancient society, in which social order rested on the assumed natural inequality of man, and his subserviency to the State; and the effects of this pagan idea of man are traced on the family, the laboring classes, the poor, the unfortunate, presenting a picture of the terrible social condition of the pagan world. Book ii. is entitled "La Société Religieuse Chrétienne," which states the fundamental doctrine of Christianity, and the effect of the application of the Christian spirit of love on the various relations of life, or on the classes described under the influence of the pagan spirit. Book iii. is entitled "Transformation de la Société Civile par l'Influence de l'Esprit Chrétien." It describes the nature of the struggles, during the first four centuries of the Christian era, between the Christian and the pagan ideas; showing how the ancient maxims and Roman laws were transformed, and society imbued with the spirit of the new religion. The work is entirely historical.

[1] Heeren's Political Consequences of the Reformation, 283.

gated; and he enforced the principles of liberty and the maxims of a free government with an energy and fidelity which had been equalled in no former age.[1] In France, Hubert Lanquet, of kindred spirit and public virtue, touched by the injustice of arbitrary power, put forth a noble vindication of the right of the people to be free from the practices of tyranny. Others in France issued, at this period, productions in a similar spirit.[2] But the time had not ripened for a reception of their doctrines. Half a century had hardly passed, before champions of this school illumine the political horizon of England. Among them were John Milton, imbued with the very spirit of the Reformation, who defended the noble thesis, that freedom is the native right of man, and gave the world a mighty and still unsurpassed plea for liberty of utterance; John Locke, who urged that this idea ought to be embodied into the framework of society for

[1] The "De Jure Regni" was first printed in 1579, when, Bayle says (Article Buchanan), it made a great noise. The article contains curious matter about it. In Hollis's "Memoirs" (549) are enumerated the editions. They were many. In 1584, the Scotch Parliament condemned and prohibited it. Clarendon, on the Restoration of Charles II, ordered all copies to be seized as pernicious to monarchy (Campbell's Lord Chancellors, iv. 133). Sir James Mackintosh (Works, 609) warmly eulogizes the "De Jure Regni" in the words cited in the text. The Earl of Chatham (Correspondence, iv. 286) regarded it as a volume small in bulk, but big in matter, containing "even all the length and breadth and depth and height of that great argument, which the first geniuses and master-spirits of the human race have asserted so nobly. From him, *ceu fonte perenni*, they have all drunk, and happiest who has drunk the deepest."

[2] Bayle has an elaborate dissertation on the authorship of that work, which he states was printed in Latin in 1579, and ascribed to "Stephanus Junius Brutus." In Hollis's "Memoirs" (129) there is additional matter about it. The author seems not to have seen the edition translated into French. This is in the Boston Public Library. Its title is as follows: "De la Pvissance Legitime dv Prince svr le Pevple, et du peuple sur le Prince. Traité tres-vtile & digne de lecture en ce temps, escrit en Latin par Estiene Iunius Brutus, & nouuellement traduit en Francois. M.D.LXXXI." It was, in the next century, translated into English from "the Latin and French." Hollis had a head of Lanquet engraved, which is one of the plates in his Memoirs. The other works referred to in the text were the "Franco-Gallia: or an account of the ancient free state of France and most other parts of Europe, before the Loss of their Liberties," as the title reads in an English edition. It was originally written in Latin, and printed in 1574; and "Le Contr'un, ou Discours de la Servitude Voluntaire," by Stephen de la Boetie, printed in 1578. It is pervaded by a noble patriotism; and Hallam (Literature, i. 307) says, "La Boetie, in fact, is almost a single instance of a thoroughly republican character till nearly the revolution."

the common good; and Algernon Sidney, the honest republican, who foreshadowed the institutional form in which this idea was destined to develop. Locke was so successful in catching and expressing the liberal spirit of his age, in his work on Civil Government, that it became the platform of a great political party, and gradually widened out into an influence that operated far beyond the thought or the theory of its adherents; so that, Hallam says, "while silently spreading its fibres from its roots over Europe and America, it prepared the way for theories of society hardly bolder in their announcement, but expressed with more passionate ardor, from which the last and present age have sprung."[1] This historical judgment is applicable to a line of illustrious characters, who grasped the Christian idea of man; and, because of the brilliancy of their service in behalf of human rights, they deserve a place among the morning stars of the American constellation.

This was the nature of the providential preparation that was made in the Old World for the great work of occupying North America. When new political ideas were stirring the public mind, and a band of popular leaders, consciously or unconsciously, were developing, in perilous political action in England, the republican element, several powers made grants of territory to companies and individuals who had in view the object of planting colonies. After the New World had been made known by Columbus and his successors, it was agreed by the principal nations, that prior discovery by any of them should constitute valid claim to territory in it; and that grants from them should constitute absolute title to the soil, subject, however, to the Indian right of occupancy. It became also a rule of law, that the crown only had the right to extinguish this claim. Hence the validity of land-titles, traced back to grants by the

[1] Hallam's Literature, ii. 362. The work of Locke was several times reprinted in the Colonies; and the citations from it in political utterances show that it was carefully studied by Americans.

crown, has never been denied in the courts. Under these grants, the soil began to be occupied by the settlers.[1]

The migrations that heretofore had changed the face of society had been tribal in their character: but the migration to the New World was individual; and, with the single exception of the case of Georgia, was effected without any expense to the government, and sometimes even in defiance of its wishes and decrees. In this way, a few Lowland Scotch settled in several places; the persecuted Huguenots of France became, in small numbers, exiles in Massachusetts, and in greater numbers in South Carolina; the Swedes occupied the banks of the Delaware, and the Dutch founded New Netherland. A great majority of the emigrants were of the Teutonic stock, — famed for valor, personal independence, and a love of free institutions, and who welcomed the principle of individuality, roused into activity by the Reformation. They are characterized as the Germanic race; a term sufficiently comprehensive to embrace the settlers of Saxon, English, and Norman blood, and to denote the ancestry of that cosmopolitan result, the American race, who are making a broad and deep mark on the face of the civilized world.[2]

The colonists, as they bravely encountered the hardships of subduing a wilderness, were impelled by various motives,

[1] Chalmers (Political Annals, 677) says, that "the laws of nations sternly disregarded the possession of the aborigines, because they had not been admitted to the society of nations." At the Declaration of Independence (2 Dallas's Reports, 470), every acre of land in this country was held, mediately or immediately, by grants from the crown. All our institutions (Wheaton, viii. 588) recognize the absolute title of the crown, subject only to the Indian right of occupancy, and recognize the absolute title of the crown to extinguish that right. An Indian conveyance alone could give no title to an individual.

[2] "The elements of the population of the original thirteen States were almost exclusively of English, Lowland Scotch, Dutch, and Swedish blood; that is to say, decidedly Germanic. Ireland was, as yet, slightly represented. France had made but inconsiderable contributions to the population." — Hotz's Gobineau, 241. Lappenberg (England under the Anglo-Saxon Kings, ii. 305), says, that in England, before the Conquest, all the then existing nationalities of Europe, the Slavonic excepted, met together. The Germanic alone was not remodelled by Roman influences, and nowhere has so nobly maintained itself.

— the emigrants to New England, under the main impulse of a spirit of religion, by a desire to enjoy in peace their mode of worship, and to spread the gospel; the emigrants to Virginia and New York, chiefly under the influence of a spirit of commerce, by a love of adventure, or the hope of opening new paths of trade; and the founders of Maryland, Pennsylvania, and Georgia, by the ambition to form new States; while all the colonists desired to benefit their condition. The majority were zealous sectarians in theology; and, in the spirit of their age, were often narrow in their views, and often intolerant in their action: but, whether Puritans, as in New England, or Episcopalians, as in Virginia, or Catholics, as in Maryland, or Quakers, as in Pennsylvania, they, in political things, manifested a common love of liberty; and they spontaneously obeyed the same historic traditions and instinctive tendencies, as they organized into bodies politic. They ignored the old political forms of the places in which they were born, and applied free principles in a way and to an extent unlike any thing seen in the ancient time or in their own age. Each community adopted the rule that the majority should govern, representation, the elective franchise, the municipality, the public meeting, the general assembly, trial by jury and the habeas corpus, — in a word, self-government in the local spheres. Thus, in about a century and a quarter (1607 to 1732), there were planted on this soil the language, manners, ideas, and religion, the institutions and their tendencies, that characterize the nation.

The polity of the United States is original and peculiar. It is obviously made up of two great elements or divisions of power, — that of the States and of the nation; and the beginnings of these are as obviously found in the colonies and their union. The motto on the seal of the United States gives the genealogy, — E PLURIBUS UNUM.[1] The cir-

[1] The motto "E Pluribus Unum" was on the titlepage of the first volume of "The Gentleman's Magazine," 1731, and was continued until 1834.

cumstances connected with the origin of each one of the many satisfactorily explain why there were colonies and now are States, unequal in size, population, wealth, and political weight. Thus a company of Englishmen obtained of the sovereignty a grant of the small tract of land which is now Rhode Island, and hence the colony and State; a company of Hollanders founded New Netherland, and hence there is now a State of the distinctness of character, the commercial greatness and imperial power of New York; while, in relation to certain vital things, both States are recognized as co-equals in the national polity. But, in the general progress and development of civilization, there is ever a providential ordering of events, superior to and the master of circumstances. This moves on through the working of great ideas, or the hidden forces, which, joined with climate and soil, mould society and direct its tendencies. These ideas were fulfilling their mission when theories of vital consequence to the human race, pronounced in the Old World Utopian, were carried out in the New World, and their influence fixed society on a new basis.[1] Indications of their presence are seen at every step of progress. The preamble to an early American Bill of Rights runs, "The free fruition of such liberties, immunities, and privileges as humanity, civility, and Christianity call for, as due to every man, in his place and proportion, without impeachment or infringement, hath ever been, and ever will be, the tranquillity and stability of churches and commonwealths; and the denial or deprival thereof, the disturbance, if not the ruin of both."[2] Here is seen, in the early American lawmakers, the influence of the Christian element. The legislation of several of the colonies, establishing a system of

[1] "In that land the great experiment was to be made by civilized man of the attempt to construct society on a new basis; and it was there, for the first time, that theories hitherto unknown, or deemed impracticable, were to exhibit a spectacle for which the world had not been prepared by the history of the past." — DE TOCQUEVILLE: *Democracy in America*, i. 30.

[2] Preamble to Massachusetts Liberties, 1641.

public instruction for youth, shows the high aim of basing commonwealths on intelligence, or on the general education of the people. On viewing this class of facts, in connection with the results that have been attained, a philosophic inquirer, penetrating beneath the incidental and transient elements of error and of wrong, which, in American history, as in other histories, are mingled with the progress of Truth and the Right, declares that the grand maxim on which civil and political society in the United States rests is, "that Providence has given to every human being the degree of reason necessary to direct himself in the affairs which interest him exclusively."[1] After the people had been trained for a century and a half in the exercise of these powers in purely local spheres, there rose at length, as the product of rare public virtue, and to supply the needs of the nation, the polity of a republican government based on the principle of the sovereignty of the people.

To account for the general progress of civilization and development, or for the action of great ideas on society, involves a consideration of profound questions. I do not purpose to study the Why of the *E Pluribus Unum;* but an order of facts that seem to show the How it came to pass, — a class of events that mark the continuous blending of Diversity and Unity in the formation of the public opinion, that evolved The One from the many; or, how the United States came to be the United States, free from the benumbing influences of centralization on the one hand, and from the fatal dangers of disintegration on the other.

At every stage in the progress towards this result, the two main elements of the national life are found acting in harmony. It may be useful to preface the narrative by a glance at the origin and progress of the Idea of Local Self-Government, which developed into the State, and at the Idea of Union, which developed into the nation.

[1] De Tocqueville: Democracy in America, i. 538.

1. Local Self-government. — The self-government which developed and is recognized in the Republic is not simply a custom, in the units termed municipalities or States, of managing their local affairs; but a degree of freedom in the individual to engage in the various pursuits of life, unrecognized elsewhere at the period when the Republic was formed, and yet unknown where centralization prevails,[1] whether he chooses to act by himself or in association for civil or religious purposes; and this self-government exists in union with the fulfilment of every obligation demanded by the nation. The theme in hand, however, requires references to institutions of a purely political nature. The idea of Local Self-government was historical at the time of the colonization of North America. Among the Germanic ancestors of the emigrants, the custom was so general for the inhabitants of a district to control their local affairs, that it has been said, "One leading principle pervaded the primeval polity of the Goths: where the law was administered, the law was made;"[2] and they filled all Europe for five hundred years with the fame of their exploits, and were the first nation beyond the Danube to receive Christianity.[3] In ancient England, local self-government is found in connection with the political and territorial divisions of tythings, hundreds, burghs, counties, and shires, in which the body of the inhabitants had a voice in managing their own affairs. Hence it was the germinal idea of the Anglo-Saxon polity. In the course of events, the crown deprived the body of the people of this power of local rule, and vested

[1] M. de Champagny (Dublin Review, April, 1866) says of France, "We were and are unable to go from Paris to Neuilly; or dine more than twenty together; or have in our portmanteau three copies of the same tract; or lend a book to a friend; or put a patch of mortar on our own house, if it stands in the street; or kill a partridge; or plant a tree near the road-side; or take coal out of our own land; or teach three or four children to read, . . . without permission from the civil government."

[2] Edinburgh Review, February, 1822. This article has much curious matter about municipalities.

[3] Encyclopædia Americana, Article Goths.

it in a small number of persons in each locality, who were called municipal councils, were clothed with the power of filling vacancies in their number, and were thus self-perpetuating bodies. In this way, the ancient freedom of the municipalities was undermined, and the power of the ruling classes was installed in its place.[1] Such was the nature of the local self-government in England, not merely during the period of the planting of her American colonies (1607 to 1732), but for a century later; and it was the same in other countries. It was a noble form robbed of its life-giving spirit.

It has been said by Guizot, that, "when there scarcely remained traces of popular assemblies, the remembrance of them, of the right of freemen to deliberate and transact their business together, resided in the minds of men as a primitive tradition, and a thing which might come about again."[2] These assemblies re-appeared, and old rights were again enjoyed, when the emigrants to the soil now the United States began to frame the laws under which they were to live. An instance of this occurred (1620) on board the "Mayflower," as she was bearing the Pilgrims from Southampton to Plymouth. Some of the passengers, termed strangers, said, that, as their patent did not apply to New

[1] An article in the "Edinburgh Review," September, 1818, on the Burghs of Scotland, cites a statute of 1469, which stripped the burgesses everywhere of a franchise they had till then exercised, and formed the basis of the practice there by which the town-council and magistracy choose their own successors. J. Toumlin Smith (Local Self-government, 107) says, "Henry VIII. began a systematic attack on the independence of borough institutions of local self-government, which his successors carefully followed up. This was done, by trying to get the controlling authority into the hands of small and select bodies in each borough." In Switzerland (De Tocqueville, Democracy, ii. 448), "all powers of government were in the hands of small, close aristocracies perpetuating themselves." The ancient free municipal life of France had been extinguished. — M. de Malesherbes, cited by De Tocqueville, ii. 428. Gervinus (Introduction to a History of the Nineteenth Century, 40) says of the Republic of the Netherlands, "that power fell into the hands of a narrow aristocracy, and that there was no thought of a representation of the citizens, of democratic institutions, or of the elective franchise for the community."

[2] History of Civilization, iii. 199.

England, there would be no authority to exercise powers of government; and, when they got on shore, they would use their own liberty. To curb this riotous spirit, forty-one of the band, when at Cape Cod, signed the well-known covenant, by which they mutually and solemnly combined themselves into a "civil body politic," for the better ordering and preservation of their object, and by virtue thereof to frame, enact, and obey such just and equal laws as from time to time should be thought most meet and convenient for the general good of the colony, in the expectation that this form of government might be as firm as any patent, and in some respects more sure. They declared that their enterprise was undertaken for the glory of God, for the advance of the Christian faith, and for the honor of their king and country.[1] This was a covenant to provide a code of laws and a public authority, or a local government, not in the spirit of sovereignty, but of subordination to it, or as loyal subjects of the king.[2]

An old custom also re-appeared in all the colonies, in the provisions for a discharge of municipal duties. The beginnings of the Massachusetts colony afford pertinent illustrations of the formative process. The company, as proprietors of the soil, granted to the several bands of settlers tracts of land to build towns upon, but at first made no special provision for municipal governments. These persons met in one body, or in town-meeting, or in folk-mote, to lay out highways, to parcel out house-lots, and to order the petty details of local life; but, as their numbers increased and duties multiplied, these frequent gatherings of the whole body became an onerous tax on their time, as "by reason of many men meeting, things were not easily brought unto a joint issue."[3] To remedy a growing evil, the inhabitants

[1] Bradford's History, edited by Deane, 89, 90.

[2] A different view of this proceeding has been given. Thus Benedict (Historical Discourse, 10) says, "The Pilgrims took the form of a nation, and assumed and exercised its various functions," &c.

[3] History of Charlestown, 51.

of Dorchester (1633) designated twelve of their number to meet once a week, to consider local matters, but they were to have no greater voice in determining a case than any inhabitants who might choose to meet with them. The plan, however, did not work well.[1] The inhabitants of Charlestown, in inaugurating another plan, selected the mode adopted in the "Mayflower." They signed an instrument, still extant, which is entitled on their records, "An order for the government of the town by selectmen," by which eleven persons, "with the advice of pastor and teacher, in any case of conscience," were empowered to manage their local affairs for a year, the choice of officers excepted.[2] This plan proved successful. It was an application of the principle, that the body of the residents of a district should control its local affairs.

Another instance of the re-appearance of an ancient right is afforded in the spontaneous application, by the emigrants, of the principle of representation, which was quite unknown in the Grecian and Roman world, was in England rather used by the ruling classes to wield power than enjoyed by the body of the people, and had well nigh disappeared on the European continent. This principle was first applied by the settlers of Virginia, who for several years had no voice in making the laws under which they lived, but were ruled under authority derived from the crown. Arbitrary power produced confusion and discontent. In 1619, the governor, to the great joy of the people, was empowered to summon representatives; and each of the eleven incorporations and plantations chose two of their number to act as burgesses, and take part in making the laws. They convened in the church at James City, on the 30th of July. The officers of the colony met with them,

[1] Vote of 1633 in Dorchester Records.

[2] History of Charlestown, 51. Professor Joel Parker, in a paper on New-England towns, in "Mass. Hist. Soc. Proceedings," 1866–7, regards the proceeding as showing the beginning of this form of municipal government.

the governor sitting in his accustomed place, his council on each side, and in front of him the speaker and clerk, while the sergeant stood at the bar. The burgesses took their places "in the choir of the church." The minister then prayed that it might please God to guide and sanctify their proceedings to his own glory and the good of the plantation. The burgesses then retired to the body of the church; when, "to the intent," the speaker says, "as we had begun with God Almighty, we might proceed with awful and due respect to his lieutenant, our most gracious and dread sovereign," all were called by name and in order, took the oath of supremacy, and then entered the assembly. Among its proceedings were measures towards the education of Indian children, and the erection of "a university or college." Thus solemn was the inauguration of the representative principle on this continent.[1] This was the origin of the House of Burgesses of Virginia, — an example, Story says, of a domestic parliament to regulate all the internal concerns of the colony that "was never lost sight of, but was ever afterwards cherished throughout America as the dearest birthright of freemen."[2] All the colonies, sooner or later after their foundation, had their legislative assemblies, which came to be called the commons of America. These assemblies were the judges of the elections and returns of their own members, regulated the manner of transacting their own business, and claimed to be free deliberative bodies. In union with the co-ordinate branches of a council and a governor, they were the law-making power.[3]

[1] Proceedings of the First Assembly of Virginia.

[2] Story's Commentaries, i. 26.

[3] Bancroft (i. 250) remarks, that "popular assemblies burst everywhere into life with a consciousness of their importance and an immediate capacity for efficient legislation." These assemblies, in some cases, at first were composed of the whole body of freemen. The dates of the formation of representative assemblies to make laws in the colonies are as follows: —

Virginia, July 30, 1619. — The governor summoned two burgesses from three cities, three hundreds, three plantations, Argals gift, and Kiccowtan. — Proceedings

The representatives, with the governor and council, constituted the government for the colony, or of the people as a unit. This was held to be the only power that could levy

in New-York Hist. Soc., Coll. 2d ser. 111, communicated by Bancroft in 1856. The governor, council, and burgesses continued to meet together, Beverly says (Hist. Va. b. iv. 31), till 1680, when "Lord Colepepper, taking advantage of some disputes among them, procured the council to sit apart from the assembly; and so they became two distinct houses, in imitation of the two Houses of Parliament in England, — the Lords and Commons, — and so is the Constitution at this (1705) day."

Massachusetts, May 19, 1634. — To the surprise of the magistrates, twenty-five delegates, chosen by the freemen of the towns, of their own motion, appeared and claimed a share in making the laws. The claim was allowed, and their names appear on the records of the day, with the magistrates, as part of the General Court. They sat together for ten years. In 1644, the "Massachusetts Records" say (i. 58), on account "of divers inconveniences" of the magistrates and deputies sitting together, and "accounting it wisdom to follow the laudable practice of other States, who have laid groundworks for government," it was ordered — both sitting together — that each should sit apart; and they became co-ordinate and co-equal branches, the assent of both being necessary to make a law. Plymouth had a representative assembly in 1639. The charter of 1692 named twenty-eight persons as counsellors: afterwards they were chosen annually by a joint vote of a new House of Representatives and the old counsellors.

Connecticut, Jan. 14, 1639. — An agreement among the towns to be as "one public State or commonwealth," provided for a representative assembly, consisting of deputies chosen by the freemen, who, with a governor and council, composed the legislative power. They sat together. The charter of 1662 provided, that the governor, deputy-governor, and twelve magistrates should be chosen at a general election, and deputies should be chosen by the towns. All these officers sat together. In 1698, it was ordered that the governor or deputy-governor and magistrates should be called the upper house, and the deputies the lower house, that they should sit apart, and that no bill become a law without the consent of both. — Trumbull's Connecticut, i. 102, 399.

Maryland, February, 1639. — An assembly of the body of freemen made provision for a representative assembly (Chalmers's Annals, 213). The composition of this body was peculiar. Griffith (Maryland, 7) says, that, "upon writs being issued by the governor, delegates elected by the freemen were to sit as burgesses, one or two for each hundred, with the persons especially called by the governor, and such freemen as had not consented to the election of others, or any twelve or more of them, including always the governor and secretary." The burgesses (Chalmers, 219) desired, in 1642, to sit by themselves; and, in 1650 (Griffith, 13), the assembly passed an act dividing themselves into two houses; the governor and secretary and council to be the upper house, and the burgesses the lower house; and all bills assented to by the major part of either to be the laws.

Rhode Island, May, 1647. — Provision was made under the patent or charter, granted in 1644 by the Parliamentary Commission, for a representation from the towns, which discussed proposed laws before they were presented to a general assembly. — Arnold's Rhode Island, i. 208. By the charter of 1663, a governor, deputy-governor, and assistants were to be chosen annually at Newport; and deputies were to be chosen by each town. At first, all sat in one room. In 1666, there was an

taxes. It was early urged, that the inhabitants of a colony were the best informed of its circumstances, and therefore were the most qualified to make its laws: in the words of

effort to have the deputies sit as a separate house; but the measure was not adopted till 1696. — Arnold, 327, 533. The governor and assistants, or magistrates, were the upper house; the deputies, the lower house.

North Carolina, 1667. — Settlers were invited into this colony by the promise of legislative freedom. — Williamson, i. 94. Hawks (i. 144) thinks there was an assembly in 1666; but the general assembly, under the charter, consisted of the governor, twelve councillors, and twelve delegates, chosen by the freeholders. — Chalmers, 524. At a later period, while under proprietary rule (Hawks, ii. 147), the general assembly was divided into two houses.

New Jersey, 1668. — This proprietary colony was divided at first into East Jersey and West Jersey, which had separate assemblies: the first held in East Jersey was on May 26, 1668, and in West Jersey, Nov. 25, 1681. — Gordon's New Jersey, 44–48. In 1702, the two parts were united, a royal government formed, and a general assembly provided for, consisting of the governor, a council of twelve nominated by the king, and a house of representatives chosen by the freemen of the counties and cities. They sat together. In 1738, the council was made a separate branch; the governor withdrew from it, and no longer was the presiding officer. — Mulford's New Jersey, 335.

South Carolina, 1674. — Settlers were promised a share in making the laws. — Ramsay's South Carolina, i. 30. In 1674, the freemen elected representatives, when, Ramsay says, there were (ib. i. 35) "the governor, and upper and lower houses of assembly; and these three branches took the name of parliament." The colony became, in 1720, a royal government; it was settled that the governor and council be appointed by the king, and the representatives be chosen by the people. The whole house was chosen at Charleston, where "there had been often great tumults." — Carroll, ii. 149. About 1716, the colony was divided into parishes; and it was provided that each parish should elect its representatives, "to be balloted for at the several parish churches, or some other convenient place mentioned in the writs, which were to be directed to the church-wardens, and they to make returns of the elected members; and of this act the people were very fond, finding it gave them a greater freedom of election." — Ib. ii. 149. In 1720, when the colony became a royal government, it was provided that the governor and council should be appointed by the king, and the representatives chosen by the people. — Ramsay, i. 95.

New Hampshire, March 16, 1680. — By the decision of the crown, New Hampshire was separated from Massachusetts, and a commission constituted a president and council "to govern the province;" and this commission authorized the qualified voters of the four towns to choose an assembly. It consisted of eleven deputies, and sat as a distinct body; the council having a negative on its acts. The king engaged to "continue the privilege of an assembly in the same manner and form, unless he should see cause to alter the same." A Royal Commission, in 1692, provided for a governor and council, and a house of representatives, to be elected by the towns; both meeting separately, and acting as co-ordinate branches. — Belknap, i. 139, 145.

Pennsylvania, 1682. — In this colony, provision was made for a representative assembly under the Frame of Government of 1682; and also under forms tried in 1683 and 1696. In 1701, the charter agreed upon provided for an annual assembly

an early assembly, "that there was more likelihood that such as were acquainted with the clime and the accidents thereof might on better grounds prescribe their advantages" than "such as should sit at the helm" in England. This theory was applied to the smaller spheres of political power. It was considered, that the inhabitants of a district or town could act more intelligently in reference to its affairs than any others.[1] It also became a leading aim to carry justice to their doors.[2] On these grounds, the legislatures provided for the exercise by localities of certain

to consist of four delegates from each county, or a greater number, if the governor and assembly should agree to it. This assembly was to choose a speaker and other officers, "to be judges of the qualifications and elections of their own members, sit upon their own adjournments, appoint committees, prepare bills, impeach criminals, and redress grievances, with all other powers and privileges of assembly, according to the rights of the free-born subjects of England, and the customs in any of the Queen's plantations in America." — Franklin's Works, iii. 155. In this colony (Douglass's Summary, ii. 317), the council had no concern in the legislation otherwise than advising the governor. The legislature had but one branch.

Delaware, 1682. — This colony became a dependency on New York, but was purchased by William Penn. The three lower counties of the Delaware, New Castle, Kent, and Sussex, claimed, under the charter of 1681, a separate assembly, which they obtained, but had the same executive as Pennsylvania.

New York, Oct. 17, 1683. — The governor called an assembly, composed of seventeen delegates, who adopted a charter of liberties, apportioned the representatives to the counties, and claimed to be a free assembly. — Dunlap's New York, i. 134. In 1691, the first assembly convened after the Revolution, and consisted of seventeen delegates. The acts of this assembly are the first that were considered valid by the courts of law. — Smith's New York, 87. The assembly, down to the Revolution, did not exceed twenty-seven members. — Dunlap's New York, i. 212. The council consisted of twelve, nominated by the crown, as was the governor, and sat by themselves.

Georgia, 1754. — The first representative assembly was called by the governor, under a form of government matured by the Board of Trade, and authorized by the king. It was composed of nineteen delegates from three districts, and (McCall's Georgia, i. 248) had power similar to other colonial assemblies.

[1] The General Assembly of Virginia, in February, 1632, passed the following order: "That the governor and council shall not lay any taxes or impositions upon the colony, their land, or commodities, otherwise than by the authority of the Grand Assembly, to be levied and employed as by the assembly shall be appointed." — Hening's Statutes, i. 171. At the first meeting (May 14, 1634) of the representatives in Massachusetts, it was voted, the governor and assistants, as in Virginia, sitting with them, "That none but the General Court hath power to make and establishe lawes," or "to raise moneyes and taxes." — Mass. Records, i. 117. Declaration of the General Assembly of Virginia, 1642, in Hening, i. 233.

[2] Hening's Preface, xvii.

functions, involving the taxing power, vital to the peace and welfare of society. The forms adopted were necessarily different. The influences growing out of climate and soil, in union with ideas, created conditions of society, and their tendencies, which, subsequent to the Revolution, grew into momentous results. The legislation of all the colonies recognized human bondage, and its subjects were the African race. In the territory of Pennsylvania, and north of it, this race did not multiply largely. Industrial pursuits were carried on mainly by free labor, and the emigrants built their houses near each other, and organized towns. In the region south of Pennsylvania, the emigrants settled far apart from each other, on large tracts of land or plantations; the climate suited the African race, and they greatly increased. The cultivation of the great staples of indigo, rice, and tobacco was carried on mainly by slave labor. It has been said, that "this single circumstance had such an influence that it divided the thirteen colonies into two distinct communities, which widely differed in manners, habits of life, and general character."[1] The municipal forms that were adapted to one condition of society were impracticable in the other. But whether the municipality was called parish, borough, town, city, district, or county, the principle was alike recognized, that the body of its residents, according to prescribed rules, should manage their own local affairs.[2] In each the voters chose their own officers; each

[1] Tucker's Hist. United States, i. 97.

[2] "Municipal, as used by the Romans, originally designated that which pertains to a *municipium*, or free city or town." — Webster's Dictionary. This term will denote all the forms by which the supreme power in a community, as a colony or State, empowers the residents of a district to perform certain duties.

In Virginia, the divisions named in 1619, in the election of the first representative body, were cities, hundreds, and plantations; but the prevailing form came to be counties and parishes. Thus, in 1656, all the counties, "not yet laid out into parishes," were ordered to be so laid out. Maryland, in 1702, had about forty parishes; the settlements in South Carolina were so scattered, that, for ninety-nine years, Charleston was the centre and source of judicial power (Ramsay's South Carolina, ii. 125, 129); and about 1716 (Carroll, ii. 149) the colony was divided into parishes. North Carolina, in 1739, had a population of only ten thousand, and was

had its courts of justice; each, in relation to its peculiar local interests, had a jurisdiction as wide as its territorial limits. In this way, each locality provided for the concerns of social comfort and of police, of education and of religion. This work was never done for the people, but always by them: they tested their own decisions, and could correct

divided into three counties, and these again into "precincts." Georgia, in 1758, was divided into eight parishes. — White's Statistics, 55. The powers conferred on counties and parishes were essentially the same in all the Southern colonies. In Virginia, in 1632, the General Assembly ordered that "highways should be laid out in such places as were requisite, according as the governor and council, or the commissioners for the monthly courts, should appoint, or according as the commissioners of every parish should agree." Various acts imposed duties on counties, such as building prisons, maintaining bridges and highways, erecting workhouses, and placing poor children there to be instructed in spinning, &c., and paying the burgesses. In 1662, the following act was passed: "Whereas oftentimes some small inconveniences happen in the respective counties and parishes, which cannot well be concluded in a general law: Be it therefore enacted, that the respective counties, and the several parishes in those counties, shall have liberty to make laws for themselves; and those that are so constituted, by the major part of the said counties or parishes, to be binding upon them as fully as any other act." — Hening, ii. 171. In 1642, an act provided for the formation annually of a vestry in each parish to maintain church government; and, in 1645, it was enacted, "That the election of every vestry be in the power of the major part of the parishioners." According to these citations, the residents of a district controlled the affairs of a district; the Virginia law of 1662 being as complete an embodiment of this principle, where there was not a single town, as any law in New England.

In Pennsylvania, with the "Three Lower Counties," or Delaware, and New Jersey, the laws passed in relation to municipal affairs designate counties and towns. William Penn granted, as proprietary, the charter of Philadelphia, and this city had a self-perpetuating council; but as a county it was subject in the general laws to the elective principle, and named as such. In 1709, assessors were ordered to be chosen by the freeholders. In an act providing for county rates and levies (1724), the freeholders, &c., were empowered to choose, annually, commissioners for three years, having three for each county (one going out of office each year), and six assessors, whose duties relative to taxes are minutely laid down. The oath administered to these officers was, "Thou shalt well and truly cause the county debts to be speedily adjusted, and the rates and sums of money by virtue of this act imposed to be duly and equally assessed and laid according to the best of thy skill and knowledge; and herein thou shalt spare no person for favor or affection, nor grieve any for hatred or ill-will." — Penn. Laws, 1742. In 1729, the inhabitants of townships, owners or occupiers of lands, were empowered to choose fit persons for pound-keepers. The townships were empowered to make rates for the support of the poor. Thus the elective principle was gradually extended in this colony in municipal affairs.

In New Jersey, the "Concessions" (1664) of the proprietors to all who should settle in it, provide that, "so soon as parishes, divisions, tribes, and other distinctions are made," the freeholders should elect representatives; and they should "divide the

their own judgments. The municipality was the unit in the system of local self-government. In it the citizen began to take a part in public affairs, and was trained for the wider field of the representative assembly. And thus it fostered a public spirit and a public life. What has been called a "bureaucracy," which has had so repressive an influ-

province into hundreds, parishes, or tribes," or other divisions. — Smith's New Jersey, 514, 515. The divisions named in the laws subsequently passed are counties, cities, towns-corporate, townships, and precincts, which were empowered to exercise certain rights, immunities, and privileges, in which the freeholders and freemen, having certain qualifications, voted for their officers at "town-meetings;" some acts providing that "only freeholders, tenants for years, or householders" should vote in township or precinct meetings. An act of 1710 names nine counties which were empowered to exercise certain rights and privileges. — New Jersey Laws.

In New Netherland, the company that effected settlements introduced the self-perpetuating councils of the Fatherland. — Brodhead's New York, 475. Such was the government of Manhattan in 1647. The popular demands, however, show the same Germanic thirst for local self-government in this colony that is seen in Massachusetts and Virginia and other colonies. After it became an English colony, the municipal forms named are county, city, town, parish, manor, and precinct; and though the governor appointed the mayors and some other officers of the cities, yet even in these the freeholders chose the aldermen; and in the towns and precincts the inhabitants chose their officers. Thus the precinct of Goshen, "at their annual town-meetings for electing town officers," were empowered to elect three "freeholders" to lay out roads in it. — New-York Laws, 212, printed 1772. Towns were authorized by town-grants or patents conferring municipal powers. An act (1762) creating two precincts authorizes the choice of "one precinct clerk, one supervisor, two assessors, one collector, three overseers of the poor, three fence-viewers, one pound-master," and also, in certain contingencies, "four constables and six overseers of the highways." — Laws, 257. These were to be chosen annually "by the majority of the voices of the inhabitants" assembled in town-meeting.

In Massachusetts, during the first six years of the colony (1630 to 1636), the General Court occupied itself with many things of a strictly local character, as the support of the ministers, appointment of constables, building of bridges, and matters of police; and it appointed (1632) two persons in each town to confer with itself about raising a public stock. Then it ordered each town should supply its inhabitants with arms, provide weights and measures, and keep a pound. In the first year there were representatives (1634), the General Assembly ordered "that none but freemen should have any vote in any town in any action of authority or necessity, or that which belongs to them by virtue of their freedom as receiving inhabitants, laying out lots," &c. Meantime several towns were exercising certain local offices, as establishing schools, supporting the ministers, making rates, building fences, and even choosing "selectmen" without any special authority from the colony to do it, such as the proceedings in Dorchester and Charlestown related in the text (see page 17). The General Court, on the 3d of March, 1636, passed an important municipal act. The following is a portion of it: "Whereas particular towns have many things which concern only themselves, and the ordering of their own affairs, and disposing of business in their own town, it is therefore ordered, that the free-

ence in France, is not seen in a single colony. I do not know of the creation, by an American legislature, of such an anomaly as a self-perpetuating municipal council.

The representatives were chosen by the qualified voters. The elective franchise, with the object of securing intelligence and integrity for the public service, was severely restricted. The freehold qualification was general, and was

men of every town, or the major part of them, shall only have power to dispose of their own lands and woods, with all the privileges and appurtenances of the said towns to grant lots, and make such orders as may concern the well ordering of their own towns, not repugnant to the laws and orders here established by the General Court, as also to lay mulcts and penalties for the breach of these orders, and to levy and distrain the same not exceeding the sum of 20*s* ; also to choose their own particular officers, as constables, surveyors for the highways and the like;" and the order permits two constables for each town, but it does not name the selectmen. Some of the towns were now choosing these annually, and they at least were recognized in legislation. Thus, in 1642 (Records, ii. 4), the court declared "that the selected townsmen have power to lay out particular and private ways concerning their own town only" (6); that "in every town the chosen men, appointed for managing the prudential affairs of the town," should have certain powers over the training of children; and, in 1646, that the five or seven or more men, "which are selected for prudential affairs, in certain towns, should have power to end causes under 20*s*.;" and, in 1647, the term "selectmen" is used in the laws. New powers from time to time were conferred on the towns. Thus, Sept. 6, 1638, the General Court ordered that every inhabitant "who shall not voluntarily contribute proportionate to his ability with other freemen of the same town to all assessed charges, as well for the upholding of the ordinances of the churches as otherwise" (Records, i. 20), should be compelled to do it by taxes, to be levied as in other cases. This vital power, wisely or unwisely, identified the parish with the town.

In 1639, Plymouth passed a law which enacted that, "All the townships within this government, allowed or to be allowed, shall have liberty to meet together and to make such town-orders," with power to impose fines under twenty shillings. — Plymouth Col. Records, xi. 32. The Connecticut Assembly of 1639 empowered the towns of Hartford, Windsor, and Wethersfield, or any others within their jurisdiction, each to have powers to dispose of their own lands, to choose their own officers, and make such orders as may be for the well ordering of their own towns, being not repugnant to any law established by the assembly; also to impose penalties for a breach of the same. — Conn. Col. Records, 36–39. The four or seven men chosen by the towns to conduct their affairs were termed "townsmen." In Rhode Island, the inhabitants of Providence agreed to be "incorporated into a town fellowship;" and they managed their own affairs. The General Assembly, under the charter, granted, from time to time, acts of incorporation, in which were defined the local officers and their duties, such as two wardens and the town council. — Arnold's Rhode Island. In New Hampshire, there are seen similar proceedings. The inhabitants of Exeter, in 1639, signed an agreement "to combine themselves together to erect and set up among us such government as should be to their best discerning" (Farmer's Belknap, 432); and the inhabitants of Dover (1640) "voluntarily agreed

further limited, in some of the colonies, by a pecuniary qualification; and, in three of the New-England colonies, church membership was required for the franchise, which proved to be so restrictive in Massachusetts as to exclude, for thirty years, three-fourths of the male inhabitants from the ballot-box.[1] There were, in some of the colonies, laws imposing penalties on absentees from town-meetings or from elections,—an embodiment of a conviction, that it was the duty of all citizens to take a part in the management of public affairs. The law, in some cases, was arbitrary; but the sentiment upon which it was based is sound: for whoever declines to take his share of the administration of municipal or other public duties, shows that he regards his personal ease or the gratification of his tastes as of more

to combine themselves into a body politic, that they might the more comfortably enjoy the benefit of his majesty's laws, together with such laws as should be concluded by a major part of the freemen." — Ib. 433.

John Adams (Works, v. 495) points to the towns of New England as one of the institutions that supply a key to American history, naming, as the chief functions which these *quasi* corporations performed, the making of roads, the support of the poor, choosing their officers, and, "above all, choosing their representatives in the legislature, and assembling, as of right, to discuss public affairs." The same functions outside of New England, were provided for in the divisions of parish, county, and other forms; and, in the period of the Revolution, the counties of the Southern colonies acted in political affairs with a similar efficiency to the towns of New England.

I have, in this note, made only such citations as seemed to justify the statements made in the text. In all the colonies there is seen the same spirit of local self-government.

I have not met with a volume, or even an essay, on the growth of the municipal system in the United States. Professor Joel Parker contributed to the "Proceedings of the Mass. Hist. Soc." of 1866–7, a valuable paper entitled "The Origin, Organization, and Influence of the Towns of New England."

[1] Church membership was a qualification for voters in Massachusetts, New Haven, and Connecticut. It was ordered, May 18, 1631, before there was a representative body in Massachusetts, "that no man should be admitted to this body politic but such as are members of some of the churches within the limits of the same" This was not repealed until Aug. 3, 1664. — Mass. Records. An act of 1656 (Hening, i 403) of the Virginia assembly reads, "Whereas we conceive it something hard and unagreeable to reason, that any person shall pay equal taxes, and yet have no votes in elections;" therefore it orders that the acts excluding freemen from voting for burgesses should be repealed: but this colony enacted, in 1670, that none but freeholders and householders should vote. In Pennsylvania, the qualifications were a freehold of fifty acres, ten cleared, and other estate of £50.

account than the preservation of his rights or the welfare of his family, his neighbors, or his country. It is only by an active participation in political concerns, that Americans can discharge their obligations as members of society.

The public meeting is seen from the first in the colonies. As a means of expressing public opinion, it must be regarded as a vital part of self-government. I have met with but few allusions to this custom in the statutes. It seems to have been assumed as a right, and with it the right of a free examination of political questions. An early Massachusetts law bears on this custom. It provided, that every man, whether inhabitant or foreigner, free or not free, should have liberty to go to any public court, council, and town-meeting; and, either in speech or writing, prefer any complaint or present any petition, in reference to subjects of which the meeting had cognizance, if it were done in convenient time, due order, and respectful manner.[1] In the public meeting, whether summoned by the authorities or called by private citizens, whether composed of the body of the people, or of delegates as in conventions, men met on the footing of equality, and exercised, as of right, free discussion; and at a time when, in most other countries, the same classes were precluded from taking part in public affairs. It was a remark, in an early petition of the freemen of Charlestown, that the enjoyment of these immunities "rendered them the most happy people they know of in the world;"[2] and, at the Revolution, this self-government was regarded as an invaluable right, purchased by toil, treasure, and blood.[3]

Though old principles were at the base of the munici-

[1] Massachusetts Code of 1641.

[2] A Petition of the Freemen of Charlestown, 1668 (Hist. of Charlestown, 159), names "the free choice of our heads, or rulers," as essential to their freedom, among the privileges and immunities they enjoyed. The Virginia Declaration of 1642 (Hening, i. 231) says, that "the present happiness is exemplified to us by the freedom of yearly assemblies," and the "legal trial by jury in all criminal and civil causes when it should be demanded."

[3] Letter of Joseph Warren, March 19, 1766: Life and Times, 21.

pality and the legislature, yet the prominent forms in which they were embodied, suggested by the circumstances of the condition of the people, were original, and may be termed American. The object sought was to supply the wants of the people, and promote the common good. The natural product of this self-government was a cluster of thirteen distinct and essentially free communities, composed of a population who appreciated the value of their rights, and felt a personal concern in their preservation. They had prejudices against each other, rivalries, and sharply defined provincialisms. But, however antagonistical might have been special circles of impulses and objects, however different the tendencies of their social systems, and however strongly the law of diversity might have ruled in their development for a century and a half, yet, in due time, all the colonies fell under the influence of a spirit of union, and each contributed to promote the design of Providence in the formation of a great Republic in America.

II. The Idea of National Union. — An early American writer and pioneer states, that the people saw, by daily experience in the beginnings of their work, that they could not succeed in their undertaking without an agreement with one another for mutual assistance; and that they thought the colonies would one day be "joined together in one common bond of unity and peace."[1] The appreciation of a great and vital want will account for the origin of the idea of a common union. A study of its embodiment reveals the feature of growth. It is so original and peculiar, that it may be termed American.

As the main object of these pages is to trace this development, it would anticipate the narrative to enlarge, in this place, on details.

The first conception of an American Union entertained by the founders of New England was to join in political bonds only those colonies in which the people were of a

[1] Hubbard's History of New England, 465. He wrote before 1682.

similar way of thinking in theology, when, in the spirit of a theocracy, they aimed to form a Christian State in the bosom of the Church. This was embodied in the New-England Confederacy (1643 to 1684). Its basis was not broad enough to embrace the whole of this territory, or sufficiently just to include all its population.

The next tendencies to a union are seen after New Netherland was added to the dominions of the British crown, and was called New York. In the inter-colonial correspondence that took place, growing out of the Revolution of 1689 in the colonies, and in the call of a congress, in 1690, for the safety of the whole land, there appears the conception of union as comprehensive as the colonies.

Union was continuously suggested during the succeeding seventy years (1690 to 1760). The class who urged it from an American point of view, and for objects in harmony with the free institutions that had taken root, aimed mainly at removing the obstructions that rival communities threw in the way of progress, and at providing for the common defence. It was urged, that the people who were occupying this portion of North America were naturally linked together by material interests; sympathized instinctively with free institutions; and had before them a common destiny, and hence ought to be united in a common polity. But circumstances prevented the formation of a public opinion in favor of the adoption of any of the schemes that were presented. The Plan of Union, recommended by a convention held at Albany in 1754, was rejected by all the colonies.

The idea of union received a great impetus when the policy was adopted by the cabinet of George III. to govern and tax America. This policy involved aggression on the old right of self-government. Union was then enjoined upon the colonies by the popular leaders, as the sum of American politics; the demand of the hour, to promote social, political, and national well-being; the path of duty and of honor; the way pointed out by Providence to suc-

cessfully resist aggression, and to obtain a redress of grievances. The sentiment deepened into conviction, and this ripened into faith in its practicability. It was the religion of politics. Union became a fact, and had the moral force of unwritten law. Under its rule and inspiration, a rare and rich public life rose into great political action, through an efficient party organization. At length Thirteen United Colonies stood (1774) in the attitude of armed resistance to the measures of the ministry; and, in the spirit in which the Great Charter was wrung from King John, they demanded their liberties under the British Constitution. In this situation, American society, imbued with the germinal spirit and influence of the doctrine of freedom and equality, claimed the right to hold on to what it had gained and the right of progress for the Future.

Union had been urged, up to this time, by the colonies, not merely in the spirit of allegiance to the crown, but with feelings of pride in being parts of a great empire; but their attitude was pronounced from the throne to be rebellion, and the force of the nation was summoned to suppress it. This was an assertion, based upon the Past of Absolutism and Privilege, of a right to give the local law to America. This forced the popular party to accept the situation of revolution, and to aim at the object of separation. There was then grafted on and blended with the conception of union, the sentiment of nationality. This found proud embodiment in the Declaration of Independence.

When the people passed from the status of subjects, exercising powers of government under the crown as dependent colonies, to that of sovereigns in a nation composed of independent States, they had a deeply rooted conviction, that one general government, or one American constitution, was a necessity. They kept in view, in their utterances, distinctly and steadily, the aim of framing a system that should protect individuals, municipalities, and States, in their several spheres of action, while it should provide for

an efficient discharge of national offices. The first result reached in "The Articles of Confederation" recognized the historic local self-government, but failed to adequately embody the idea of national union, and this form proved incompetent to secure the blessings that had been attained by the Revolution; but both ideas, as they had been applied in institutions, were recognized in the next great result of "The More Perfect Union" of the Constitution of the United States, which was ordained as the supreme law of the land.

The Republic thus established rose, as the fulfilment of a logical sequence, from a state of society in which rank and privilege did not exist. The principles on which it was founded were brought over by the emigrants; so that the last finish in the Constitution, after the achievement of independence, was but the fulfilment of the first thought.[1] The form of government was designed for the welfare of a free people and a great nation, by providing for them just and equal laws. The ancient republics, based on the inequality of men, were, in reality, oppressive aristocracies:[2] the republics of the Middle Ages had free institutions within their walls; but outside of them the divine right of kings or nobles remained unshaken:[3] the Republic of the United States was founded on the American theory announced in the Declaration of Independence, and this was embodied in the rules of law for the conduct of its citizens in the Constitution. This republic presents the rare and difficult system of one general government, the action of which extends over the whole nation, but which possesses certain enumerated powers, and of numerous State governments, which retain and exercise all powers not delegated to

[1] Gervinus: Introduction to the Nineteenth Century, 66.

[2] Schmidt (La Société Civile, 25) says, "The most oppressive aristocracies." Bridges (France under Richelieu and Colbert, 124) says, that, even in the most democratic Greek and Roman States, "the free citizens constituted a pure aristocracy, the vast mass of the working population being slaves."

[3] Bridges, 124.

the Union.[1] Under this protection and organization, the two elements of the national life, embodied into institutions adapted to their respective spheres, unfolded their blessings in harmony, and, through the great modern instrumentality of representation, are extending over the continent. A narrative of the rise of this system will show how instinctively the people appreciated and valued the grandest traditionary influence in all history, Local Self-government,[2] and that providential product, American Union.

[1] Opinion: 9 Wheaton, 205.

[2] "The form of government which alone renders popular institutions compatible with extent of territory, is that form which has its origin in this ancient element of Saxon local self-government. Who can question that it is such a political system that has expanded this Republic from its primitive circumspection to its present extent; so that, that which at first reached not far beyond the sound of the Atlantic, became enlarged beyond the mountains; then beyond the Mississippi; and now, having crossed the second great mountain range of the continent, has on its other border the sound of the earth's other great ocean. I know of no grander traditional influence to be observed in history than this simple Saxon characteristic element, and the mighty issues of it now manifest around us, — the connection between this principle of local self-government obscurely recognized in the ancient fatherland of the Saxon, carried thence to England to be combined with the central power of a constitutional monarchy, and now a living principle here, helping, by the harmony of State rights and federal energy, to extend and perpetuate the Republic." — *Professor Reed's Lectures on the Union.*

CHAPTER II.

The Combination of Local Self-government and Union in New-England Confederacy.

1643 to 1684.

The analysis, in the preceding chapter, of the manner in which the Thirteen Colonies were founded, shows that the immigrants, in framing their separate governments, obeyed a primitive tradition of their Germanic ancestors; and as society was thus divided into distinct communities, each unfolding a local life peculiar to itself, civilization obeyed in its development a law of diversity: but the idea of joining these communities into a union for their common defence and general welfare was suggested so early by the circumstances of their condition, and expanded so naturally into the conception of a republic and a nation, that it may be termed American. The two elements of local government and union were first combined in a common polity in the New-England Confederacy.

This confederacy was formed in 1643. Most of the maps of North America at that period are either French or Dutch, and they assign to the English colonies but a small portion of the soil. The most comprehensive and minute is that of Sanson, the creator of French geography. He gave narrow boundaries to represent the vast region which the patent of Virginia covered, and the territory which the emigrants to New England were occupying; and he allotted still smaller limits to the splendid land which the Hollanders claimed as New Netherland. The Spanish possession of Florida is delineated as beginning at Mexico and extending on the Atlantic coast as far as Virginia, with a wide sweep

into the interior. The remainder of the northern part of the continent is assigned to France. The French missionaries were then penetrating the Valley of the Ohio, and giving names to the stations which they established; and these names, covering a large portion of the map, show the vastness of the region claimed as New France.[1]

Colonization, up to that period, had made slow progress in North America. The Colony of Virginia, after thirty-six years of difficulty and struggle, had, together with Maryland, founded under the most happy auspices, a population of less than twenty thousand. The Swedes planted a small colony on the Delaware; and the Hollanders established posts or forts at Nassau, near the present site of Philadelphia, at Albany, and at Manhattan, with bouweries or plantations near the Hudson: but the province was in a low condition. The New-England colonies had a population of about twenty-five thousand. Perhaps five thousand would be a large estimate for the numbers of Frenchmen, Spaniards, Swedes, and Hollanders who had settled on the soil claimed by their respective countries. A century and a half

[1] There are good maps of sections of North America at this period, as of New England, New Netherland, and Virginia; but the general maps are crude. The first edition of Hondius's Mercator — the "Atlas Minor" — was printed in 1606. I found the second edition, printed at Amsterdam in 1607, in the "Prince Collection" in Boston Public Library. This contains a map of North and South America, entitled "AMERICÆ DESCRIP." It has on it "Machauche," "Virginia," and "Florida;" but, of course, it is very crude. Yet the plate from which this map was printed was used by Purchas (1625) with the title of "HONDIVS his map of America;" by Saltonstal, in his translation of Hondius, in 1635; by Gage, in his "New Survey of the West Indies," in 1655; and in the "Gorges Tracts," one of which is entitled "America Painted to the Life," in 1659, in which the map is termed "a complete and exquisite map," having the head-line left off. There is in Purchas's "Pilgrimes," part iii., a beautiful map of America of 1625; but it is too early for my purpose.

Sanson was born at Amiens, in 1600, and at sixteen drew a better map of Ancient Gaul than that of Ortelius or of Mercator. He died in 1667. — Ency. Britannica. His map, printed in Paris in 1657, is entitled "AMERICQVE SEPTENTRIONALE," and has many more names than Bleau's map, Amsterdam, 1635, De Laet's French, 1640, or Visscher's of 1652, and others I have examined. Sanson's map was printed in a volume describing America. His son, G. Sanson, printed this map, with additions, in 1669; and, in 1693, another son, N. Sanson, printed an edition of his father's general geography.

after the discoveries of Columbus in America, there were probably not fifty thousand European emigrants within the original limits of the United States.[1]

England long manifested great indifference to the colonization of North America, — the bold spirit of her early navigators being in marked contrast to the stolidity of her statesmen. In the period which has been termed "the first age of the colonies," the whole superintendence of the king, both as to executive and legislative powers, was exercised by the Privy Council.[2] The work of colonization and government was committed to the two great companies, the London and the Plymouth, whose spirit of monopoly and arbitrary power had a chilling effect on British enterprise.[3] The latter company — the Council for New England — obtained, in 1620, the grant of a great tract of territory in America. At length, Charles I. created, in 1634, by a commission, a board called the "Lords Commissioners of Foreign Plantations," consisting of certain high officers of state, any five of whom were empowered to make laws, constitutions, or ordinances affecting either the public condition or the private property of the colonists. Archbishop Laud was the ruling spirit of this board. At that period, the king was striving to absorb all the functions of government, and was attempting to rule without a parliament. This occasioned that great and noble uprising, the Revolution of 1640, which for a period frustrated the designs upon the liberties of New England. A civil war then broke out; and

[1] In "A Perfect Description of Virginia," printed in London in 1649, it is stated, that there are in Virginia "about fifteen thousand English" and three hundred negroes; that one hundred Swedes had come and crept into a river called Delawar, and were driving a great trade in furs with the natives; and that this plantation and the Hollanders parted Virginia and New England, which "was in a good condition for a livelihood," and contained about twenty thousand. The Indian war of five years had nearly depopulated Manhattan and the greater part of western Long Island; and, in 1647, such was the low condition of New Netherland, that, excepting the Long-Island settlements, scarcely fifty bouweries could be counted. — Brodhead, 410, 465.

[2] Chalmers's Opinions, 5.

[3] Chalmers's Annals, 92.

the fall of Hampden, in 1643, in so just a cause, gave an inspiring watchword to the future American patriots.

The Indians were told of the struggle that was going on in England, and it became a saying among them, that now or never was the time to root out the English, as they could not be assisted by their nation; and all who encroached on their hunting grounds were alike to the savages. They assaulted Virginia with terrible severity;[1] the whole of the territory subsequently called New Jersey was conquered;[2] they swept over New Netherland with such desolation as nearly to depopulate Manhattan, and to make 1643 a year of blood.[3] They had resolved to attack New England. Though the colonies of Virginia and Maryland furnish but a few facts illustrative of the progress of Union, yet this simultaneous assault on the colonies showed the necessity of uniting their strength for the common defence.

The New-England colonies were increasing in importance. Plymouth obtained a patent from the Council for New England; but it only conferred a title to the soil. Without other authority than that assumed in the covenant which its founders entered into on board the "Mayflower," they established all the branches of a government. In twenty-three years, however, they attained to a population of only three thousand. William Bradford was their governor. Massachusetts, first under a patent from the Council for New England, confirming a right of the soil, and then under a charter from the crown conveying powers of government, had grown into a commonwealth, had just taken (1641) the settlements commenced in New Hampshire under its jurisdiction, and had reached a population of fifteen thousand. John Winthrop was the governor. The emigrants who went out from Massachusetts and founded Connecticut, without a charter, agreed, in 1639, upon articles of association that joined them in a body politic. They had increased to

[1] Howison's Virginia, i. 287.
[2] Brodhead's New York, 369.
[3] Brodhead's New York, 347, 369.

three thousand in numbers. John Haynes was the governor. A company direct from London, without a charter, founded the Colony of New Haven, and voted that the Holy Scriptures should be the perfect rule of their commonwealth. They numbered twenty-five hundred, but had not elected a governor.[1] The banishment of Roger Williams from Massachusetts resulted in the foundation of Providence, and of Rhode Island, on the great principles of liberty of conscience in religion, and the will of the majority — the democratic principle in civil affairs. The colony was small. Their leader, in 1643, went to England, to solicit a charter. A settlement had been commenced, under the proprietorship of Sir Ferdinando Gorges, in the province of Maine, with the Church of England as the established religion, and with municipal forms, ranks, and titles like those in England; but it did not flourish. Such is a glance at the political New England of that day. It was described at that period as containing fifty towns and villages, thirty or forty churches, a castle, a college, prisons, forts, comfortable houses, gardens, and orchards, — all the work of the settlers, and at their own charge, "no public hand reaching out any help."[2]

The builders of this prosperity were doing in their local government the things which in England were done for the body of the people by the few; a correspondent of Archbishop Laud, who kept a jealous eye on the colonies, represented to him in a letter, that "it was not new discipline that was aimed at, but sovereignty;"[3] and men of this class petitioned, that the several jurisdictions might be consolidated, and a general governor be appointed. At that period, a writ of *quo warranto* was issued against the Massachusetts charter, and the Commissioners of Foreign Plantations designed to remodel the internal regulations of the colonies.

[1] I take the careful estimates of Palfrey's "Hist. New England," ii. 6.
[2] New England's First Fruits, printed in London, in 1643.
[3] Hutchinson's Mass., i. 86.

In this time of gloom, when the colonists were obliged to encounter the savages at their doors, and the arbitrary proceedings of Charles in England, the General Court of Massachusetts, in an address to the Lords Commissioners, in defence of their local liberties under the charter, made this earnest protestation on the vital point of sovereignty: "We do hereby humbly and sincerely profess, that we are ready to yield all due obedience to our sovereign Lord, the king's majesty, and to your Lordships under him; and in this mind we left our native country."[1] However ready the commissioners were to interfere with the internal affairs of the colonies, they were not disposed to use the force of the nation to protect the lives or the interests of the emigrants. One of the foremost men of Plymouth, Edward Winslow, being in London, petitioned this board, in behalf of the plantations, either to defend them from the encroachments of the French on the east, or from the Hollanders on the west, or "give special warrant to the plantations to act;" and he urged this petition before the commissioners. He found friends among them. But, at the instance of Laud, the charge was brought against the petitioner, that, without being a minister, he had exhorted in the congregation; and that, in his capacity as a magistrate, he had joined parties in marriage. He admitted the facts. For these acts, this excellent man — a pillar of old Plymouth — was ordered by the board to be committed to the Fleet, and was imprisoned for seventeen weeks. The colonists, in this rough way, were told to practise the duty and the virtue of self-reliance. They profited by the lesson.[2]

The emigrants, thrown on their own resources, looked for security in joint effort. It was their thought in the beginning that one day the colonies would be "joined together

[1] The whole address is in Hutchinson, i. 507.

[2] The petition and details are in Deane's "Bradford," 328, 330. Winthrop (i. 172) says this petition was offered "by ill advice, for it was a precedent that the colonies should do nothing hereafter without a commission from England."

in one common bond."[1] A proposition for a Union was suggested at a meeting of Connecticut magistrates and ministers in Boston, in 1637;[2] the next year, articles embodying the idea were elaborately discussed;[3] in 1639, Haynes and Hooker were nearly a month in Boston, urging the project;[4] in 1640, an assault by the Indians appeared to be so imminent that the magistrates of Aquidnet (Rhode Island), Connecticut, and New Haven, in a joint letter to the Massachusetts authorities, again proposed it; and, in reply, the General Court accepted the suggestions of the letter, but uncivilly and narrowly refused to have their reply transmitted to the Rhode-Island magistrates, saying that they were men "not to be capitulated with," either "for themselves or the people of the island where they inhabit."[5] Again, in 1642, the civil war in England prompted a renewal of the measure.[6] The details of this long action are quite circumstantial.

In the following year, the attitude of the powerful tribe of Narragansetts was so threatening as to cause commissioners from four of the colonies to meet in Boston and agree upon the terms of confederation.[7] Those from Massachusetts, Connecticut, and New Haven signed articles of association on the 19th of May, 1643. The delegates from Plymouth, not being authorized to sign, reported the articles to their General Court, which submitted them to the towns to be acted on; and in this way they were ratified by the people and form an interesting precedent in our political history. Then the General Court empowered its delegates to affix the seal of that colony to the articles. Thus was formed the Confederation of "The United Colonies of New England."[8] The four jurisdictions had a population of twenty-four thousand, living in thirty-nine towns.

[1] Hubbard, 366. [2] Winthrop, i. 237. [3] Ibid., i. 284. [4] Ibid., 299.
[5] Mass. Records, i. 305. [6] Winthrop, ii. 85. [7] Bradford, 416.
[8] Winthrop, ii. 99. The commissioners from Plymouth were Edward Winslow and William Collier; from Connecticut, John Haynes and Edward Hopkins; from New Haven, Theophilus Eaton and Thomas Greyson; from Saybrook, George Fen-

When the Connecticut magistrates returned to their homes, bearing the welcome news that the bond of union had been agreed upon, an eminent divine of this colony, Thomas Hooker, addressed to John Winthrop, the Father of Massachusetts, a strain of acknowledgment and congratulation that reveals the elevated thought and noble aims of the founders of New England: "Much Honored in our Blessed Savior: At the return of our majistrates, when I understood the gracious and desired success of their endeavor, and by the joint relation of them all, not only your christian readiness, but enlarged faithfulness in an especial manner to promote so good a work . . . my heart would not suffer me but as unfeignedly to acknowledge the Lord's goodness, so affectionately to remember your candid and cordial carriage in a matter of so great consequence; laboring by your special prudence to settle a foundation of safety and prosperity in succeeding ages: a work which will be found not only for your comfort, but for your crown at the great day of your account. Its the greatest good that can befall a man in this world, to be an instrument under God to do a great deal of good. To be the repairer of the breach, was of old counted matter of the highest praise and acceptance with God and man: much more to be a means, not only to maintain peace and truth in your days, but to leave both, as a legacy to those that come after until the coming of the Son of Man in the clouds."[1]

The terms of the agreement between the four colonies are contained in a preamble and eleven articles. It is related in the preamble, that they all came into these parts of America with one and the same end in view, namely, to advance the cause and enjoy the liberties of the gospel in purity and with peace. Being dispersed to such an extent

wick; and from Massachusetts, John Winthrop, Thomas Dudley, and Simon Bradstreet, of the magistrates; Edward Gibbons and William Tyng, of the deputies; and William Hathorne, the treasurer.

[1] This letter was first printed in the 4th series "Mass. Hist. Coll.," vi. 390. The manuscript has on it Winthrop's indorsement, "Rec. (5) 24, 1643."

that they could not be in one government; and living encompassed with people of several nations, and with nations who had combined against them; and seeing that the sad distractions of England prevented them from receiving that protection which at other times they might expect, — they conceived it to be their bounden duty to enter into a "consociation" for mutual help and strength in all their future concernments, that, as in nation and religion, so in other respects they might continue one according to the tenor of the articles, and to be called by the name of the United Colonies of New England.

By the second and third articles, — the first being the preamble, — the colonies agreed to form a firm and perpetual league of friendship for offence and defence; but provided, "that the plantations settled within the limits of the Massachusetts should be for ever under the government of Massachusetts, and should have peculiar jurisdiction among themselves, in all cases, as an entire body;" the same terms being used in reserving similar rights to the other colonies. It was also agreed, that, without the consent of the rest, no other plantation should be admitted into the league, nor that any not in the league should be received by either of them, nor that any two should join in one jurisdiction. By the fourth article, the charges of wars were to be apportioned in each jurisdiction, according to the number of males in each from sixteen to sixty years of age; each jurisdiction being left "to its own just course and custom of rating themselves and people according to their different estates, with due respect to their qualities and exemptions among themselves, though the confederates take no notice of any such privilege." The fifth article provided for the methods of summoning the forces of the colonies into the field in case of an invasion of any jurisdiction by an enemy. In a time of danger, two magistrates might summon a meeting of the commissioners of the confederation.

The three succeeding articles provided for the choice, by each of the four jurisdictions, of two commissioners, who were to meet once every year, to consider all affairs belonging to the confederation. They were required to be in the fellowship of the churches. Any six were empowered to determine any question; but, if these did not agree on a proposition, it was to be sent to the four general courts, and, if they agreed, it was to be carried into effect by all the confederates: but they were restricted from "intermeddling with the government of any of the jurisdictions, which, by the third article, was preserved entirely to themselves." They might choose out of themselves a president, who, however, was to have no more power than any other member. It was provided, that this board should "frame and establish agreements and orders in general cases of a civil nature," as for preserving peace and preventing war; for securing the free and speedy passage of justice in each jurisdiction to all the confederates equally; for receiving those who removed from one plantation to another; for regulating their intercourse with the Indians; and for the return of runaway servants and fugitives from justice.

The ninth and tenth articles contained a pledge by each not to engage in war without the sanction of the commissioners, and that in exigencies four commissioners might consent to a war; the eleventh provided for the cases arising under a breach of the articles; and the twelfth, for ratifying the confederation.

The four colonies in this compact, as belonging to "one nation," formed a league for self-defence and the common welfare. Its basis was that of the equality of the parties to it, or of each colony as an entire body; and it was its object to secure equality of rights to the inhabitants of all It was specified, that the vital subject of taxation should be left to the several local jurisdictions, and that the commissioners should not intermeddle with their administrative functions; thereby recognizing the inviolability of th

local government. The Union element, represented in the Board of Commissioners, was but feebly provided for; the board being little more than a consulting body, which could devise what ought to be done, but could not execute it. The theocracy of the time is seen in requiring for the commissioners church membership, — a qualification required in three of the colonies to constitute a voter. This rule excluded other colonies. Thus the colony in Maine was excluded because "it ran a different course" in religion and civil affairs from the other colonies;[1] and the colony of Rhode Island, for various reasons, was never able to get admission to the confederacy. A great principle was at the bottom of the confederation; but, noble as were the aims of those who handled it, they had not yet attained to sufficient breadth of view to apply it even to the whole of New England.[2]

[1] Winthrop, ii. 100.

[2] The qualification that the commissioners should be in church membership would of course exclude both these colonies. In "A Discourse about civil government in a new Plantation whose design is Religion," published in 1663, but written many years before, according to Professor Kingsley (Hist. Discourse), by John Davenport, according to others, by John Cotton, the principle of the church membership qualification is defended on the ground of usage by an appeal to facts. At the close of very hard reading is the following: "But I must break off lest I grow too tedious. How easily might I adde the Consent of all Nations to this Truth, in some proportion, who generally practise accordingly? In our Native Countrey, none are intrusted with managing of Public Affairs but Members of the Church of England (as they call them). In Holland, where the Arminian Party had many Burgomasters on their side, Grave Maurice came into divers of their Cities with Troops of Souldiers, by Order from the States Generall, and put those *Arminian* magistrates out of Office, and caused them to chuse onely such as were of the Dutch Churches. And in Rotterdam (and I think it is so in other Towns) the Vrentscap (who are all of them of the *Dutch Church*, and free Burgers) do out of their own company chuse the Burgomaster, and other Magistrates and Officers. In all Popish Countreys and Plantations, they observe it strictly, to intrust none with the managing of Public Civil Affairs but such as are Catholicks, (as they speak) and of the Roman Church. Yea, in Turky itself, they are careful that none but a man devoted to Mahomet bear public office. Yea, these very Indians that worship the Devil will not be under the Government of any *Sagamores* but such as joyn with them in Observance of their Pawawes and Idolitries: That it seems to be a Principle imprinted in the mindes and hearts of all men in the equity of it: *That* such a Form of Government as best serveth to Establish their Religion, should by the consent of all be Established in the Civil State." — p. 24.

This league, in many important respects, met the expectations of its founders. It combined the strength of the colonies. It regulated their relations with each other. It was used as a high court to determine questions of jurisdiction. It managed the relations with the Indians, and sometimes negotiated with the French and the Dutch. The spirit of subordination to the supreme power in which it dealt with matters having a national bearing was illustrated in the adjustment (1650) of a threatening boundary dispute between the people of New Haven and New Netherland, which stipulated that it should be binding "until a full determination be agreed upon in Europe, by mutual consent of the two States of England and Holland." It labored to promote the growth of Harvard College and to propagate the gospel. It increased largely the importance of New England; and though it became weak and inefficient by the total absence of a self-sustaining power, yet in crises when great public wants supply defects in forms, it was used with great effect to provide for the common safety.

While the colonists were forming this confederation, the spectacle of progress which New England presented was so gratifying to the Long Parliament, that, in 1642, it freed certain merchandise entering its ports from duties, declaring "that the plantations in New England, by the blessing of the Almighty, had good and prosperous success without any charge to this State, and are now likely to prove very happy for the propagation of the gospel in those parts, and very beneficial and commodious to this kingdom and nation." [1] The benefit thus recognized was the foundation for an increase of commercial advantages, and for a numerous people of English sentiments and ideas. But the assumption of self-government — the re-appearance of Saxon freedom — was looked upon, throughout the colonial age, with jealousy

[1] The Massachusetts General Court, in gratitude for this act, ordered it to be entered on their records, where it stands under the date of May 10, 1643. — Records, i. 84.

by the ruling classes of England, who never lost sight of the object of moulding and controlling American affairs. It is doubtful whether many members of the Long Parliament got politically beyond the idea, that the body of the people, whether living in England or America, had a right to the benefit of good government, which it was the duty of the higher orders or of the few, to provide for them. This, at least, is the spirit of an ordinance passed in April, 1643, creating a commission to superintend the colonies, called the "Lords of Trade and Plantations," composed of the Earl of Warwick as Governor-in-chief and Lord High Admiral, and a council, consisting of five peers and twelve of the Commons, who were clothed with plenary powers.[1] The commission did not differ essentially from the Board for a similar object, created by Charles I., though a different spirit governed the action of its members.

At this period, the local governments were dealing with certain opinions that were pronounced to be heresy by the Church, and to be faction by the State; and in doing this, in the dawning of a recognition of an inherent right of the people to criticise public measures and to enjoy freedom in religion, there were seen in America specimens of the errors and the intolerance which were characteristic of the age. Aggrieved parties appealed for redress from local decisions to the Lords of Trade; charged that the colonies were aiming at sovereignty; and some petitioned for the appointment of a general governor. However just their cause might have been in the abstract, these parties, in taking this course, put themselves in the wrong; for this was an attempt to undermine the common liberty, and was a grave offence against posterity. The Governor and Company of Massachusetts, in an official communication from the Lords Commissioners of the 15th of May, 1646, were summoned

[1] This ordinance was printed in a tract by William Castell in 1644. Henry Vane, John Pym, and Oliver Cromwell were members of this board.

to answer complaints of this nature.[1] In their reply, they aver, that, though removed out of their native country, they still had dependence on it, and owed allegiance and subjection to it according to their charter; but said that they had not admitted appeals to the Lords of Trade because they believed the practice could not stand with the liberty and power that had been granted to them, and that they believed it would not be allowed by the commissioners because it would be destructive to all government.[2] The court also prepared an elaborate Declaration,[3] and appointed Edward Winslow of Plymouth, who had been imprisoned by the former commission, to take care of it. This vigilant and capable public servant, on arriving in England, found that the faction, in the usual manner of unscrupulous partisans, had used falsehoods and manufactured pretexts to gain their ends. They had cited in print, as fresh proof that the colonists aimed at sovereignty, the fact of the New-England Confederacy; and they unblushingly said, that "the Massachusetts united with the other colonies to the end they might bathe themselves in blood and feed themselves fat with the lives of their brethren." To this Winslow said, in print, "This is a notorious slander."[4] And, in relation to the allegation that

[1] Hubbard, 503.

[2] Ibid., 506.

[3] In the Declaration of the General Court, 4th 9, 1646, in reply to Child's remonstrance (Hutchinson's Coll., 199), it is said: "For our government itself, it is framed according to our charter, and the fundamental and common laws of England, and carried on according to the same (taking the words of eternal truth and righteousness along with them, as that rule by which all kingdoms and jurisdictions must render account of every act and administration in the last day), with a bare allowance for the disproportion between such an ancient, populous, wealthy kingdom, and so poor an infant thin colony, as common reason can afford." Citations to sustain this statement are arranged in two columns. For illustration, a passage of Magna Charta is thus set against a "Fundamental of Mass.," as follows: —

MAGNA CHARTA.	FUNDAMENTALS OF THE MASS.
All cities and towns shall have their liberties and customs.	The freemen of every town may dispose of their town lands, &c., and may make such orders as may be for the well ordering of the towns, and may choose their constables and other officers. — (1) m., 1635.

[4] "Hypocrisie Vnmasked," by Edward Winslow, printed in London in 164 I am indebted to Mr. Charles Deane for the use of a copy of this rare work. It w

this Union was entered into without any permission from England, he answered, "If we in America should forbear to unite for offence and defence against a common enemy (keeping our governments still distinct as we do) till we have leave from England, our throats might be all cut before the messenger would be half seas through."[1] The manly Declaration, together with the sterling principles and the personal influence of Winslow, resulted in a substantial triumph for the colonies. The position taken by them was accepted in a liberal letter by the Commission, and the appeals to it taken by the faction were disallowed.[2] Still there was a lurking jealousy of popular power in the minds of the Lords of Trade. Winslow advised the colonies, that there were designs maturing against their liberties; and an act of parliament, a little later, manifested this fact. The Massachusetts General Court, in 1651, addressing this body as "the supreme authority," thanked it for stopping appeals to the Commission, and plead earnestly that the frame of their government might not be changed, but that they might continue to live under magistrates of their own choosing, and laws of their own making, not repugnant to the laws of England, as they had "governed themselves above this twenty-three years."[3] This plea proved effectual, and the colonies were allowed, by the celebrated Long Parliament, the boon of neglect from the mother country, or, rather, the favor of an acquiescence in their claim to the enjoyment of local self-government.

Nor was the political relation of the colonies changed during the rule of Oliver Cromwell, a great hero of the Teuton race, who rose to be a connecting link between Luther and Washington, all of like stock and intuitions.[4]

written in reply to a tract entitled "Simplicities Defence against Seven headed policy," by Samuel Gorton, printed in London.

[1] Winslow's New-England's Salamander Discovered. London, 1647.

[2] Mass. Coll., ii. 141. The letter was sent to each of the colonies, and was dated May 25, 1647. — Hubbard, 509.

[3] Hutchinson's Mass., i. 516.

[4] Kapp's Life of Steuben, 111.

Though Cromwell, with wonderful sagacity, dealt roughly with the factions which threatened to rend the land; yet he inaugurated a reign of personal liberty and national glory such as England never saw before. He was the first of her statesmen who had a true sense of the value of the colonies to the mother country.[1] It did not disturb him that the colonists held the Navigation Act to be contrary to their charters, as it was contrary to their natural rights; for he saw that with a claim of local government that was sometimes untenable, yet there existed a devotion to the country or the sovereignty that was genuine and serviceable; and where there was this allegiance, he forbore to intermeddle with the internal affairs of the colonies. Under his administration, New England and Virginia enjoyed free commerce and self-government.[2] Among the noblest spirits of that time were Robert Sedgwick, Edward Winslow, and Roger Williams,[3] types of the men of America, who counselled with Vane and Milton and Cromwell, characters that made an indelible mark on their age. They felt and acted as countrymen.[4]

There was no interference by the Protector with the Confederation. It was maintained in full vigor. The meetings of the commissioners were regularly held. The colonies found safety in Union. Their prosperity was increasing. Relations, far too flattering, were circulated of the spread of the gospel among the Indians. "It cannot be hid," Roger Williams wrote in 1654, "how all England and other nations ring with the glorious conversion of the Indians

[1] Hutchinson's Mass., i. 194. [2] Bancroft, i. 230, 446.

[3] Roger Williams, in a letter in 1654, says, in the many discourses he had with Cromwell, he "ever expressed a high spirit of Christian love and gentleness." — Plymouth Records, x. 439.

[4] It was not unusual to designate the colonists and Englishmen as "countrymen." In "a manifesto of the Lord Protector," printed in 1655, penned by John Milton, occurs the phrase "Our countrymen in America;" and in "Wonder Working Providence" (73, 217), written by Edward Johnson, of Massachusetts, the phrase several times occurs of "our countrymen," applied to Englishmen.

of New England."[1] And it was said, in an English document of 1656, of the northern parts of America, that they gave evidence of great improvements "almost to the world's wonder, especially in those parts called New England."[2] One of its venerated characters, John Eliot, embodied the hope, enthusiasm, and political ideal of the time in a tract entitled "The Christian Commonwealth," — a very crude essay, but American in this, that it was imbued with the spirit of a new civilization, and was a protest against monarchical power; it welcomed the triumphs of Cromwell, and advocated a sort of commonwealth or republic, in which the choice of "superior rulers," as well "as municipal," should be "by all the people over whom they were to rule."[3]

The restoration of the monarchy dissipated these visions of a commonwealth. On the 25th of May, 1660, Charles II. landed at Dover to ascend the throne of his ancestors. This young, rollicking, wanton king made pleasure his main pursuit; but his brother, the Duke of York, subsequently James II., — a man of a positive character, — took pleasure in business; and he pursued his ends with so much ambition, boldness, and energy, that soon it was said he was the State. Sir Edward Hyde, who had just been created Earl of Clarendon, and subsequently was the father-in-law of the Duke, was the Lord Chancellor and the chief minister. This bland and wily courtier, high church and high tory in his principles and of smooth speech, aimed to re-invest royalty with all its functions. His policy in relation to the colonies was definite and steadily pursued though in a fox-like manner, during the seven years in which he held power. He strove to bring them into a close dependence on the prerogative.

This was an epoch in the history of the colonies. In that day of dishonor and shame to the people of England, when individual and municipal liberties were grossly violated,

[1] Plymouth's Records, x. 439. [2] Thurloe's State Papers, v. 82.
[3] This tract is reprinted in Mass. Hist. Coll., iii. 9.

when profligacy, public and private, held carnival, it is not strange that a colonial polity, which, in its political organizations and in its educational aims, embodied an aspiration of human advancement, was scorned by the reckless rulers who wielded the sovereignty. This polity was pronounced to be republican. It was held, that, unless the government of the colonies were changed, "they would harden in their constitution and grow on nearer to a commonwealth, towards which they were already well nigh ripened."[1] It was determined to check this tendency, by centralizing in the crown several functions that were exercised by the people; and to the end, that England, as the mother country, might have the full commercial benefit of her colonial possessions, it was determined to enforce the mercantile system, with its absurd restrictions on individual pursuits, — its monstrous monopolies and downright robberies.[2] This was an attempt to install a rule based on privilege, on the ruins of a polity in which were working the elements of equality and freedom that are the germinal forces of American institutions.

On the 4th of July, 1660, at a court at Whitehall, at which were present the King, the Duke of York, and the Lord Chancellor, an order was passed constituting ten Lords of the Council, or any three or more of them, a board to meet twice a week, and receive petitions and papers relating to the plantations in America; and, on the 7th of November, the king, by a commission, created "A Council for Foreign Plantations." This council were required by their instructions to correspond with the governors of the colonies, and to devise means to bring them into a more certain civil and uniform government.[3]

The confusions of the time afforded abundant material upon which to found complaints against the colonies, and

[1] In Palfrey's "New England" (i. 579) are citations from a paper supposed to have been prepared by Clarendon.

[2] Bancroft's History, ii. 43, 44.

[3] N.Y. Col. Documents, iii. 30, 82, 36.

especially against New England. To former grievances growing out of the dealing of the authorities with heretics, there were added the sad transactions relating to the Quakers, and their earnest appeals. Besides, the London merchants were disturbed by the enterprise of New England. Its prosperity excited envy in the other colonies; and its "commonwealth notions" supplied a field in which zealous placemen might show their zeal for the crown. In addition, these colonies harbored the regicides, and were tardy in making their acknowledgment of allegiance to Charles II. The complaints to the king were numerous.

The agent of Massachusetts, John Leverett, then in London, advised the General Court of these complaints, and of the feeling there in relation to the colonies.[1] Their neglect to address the king did not proceed from any design to oppose his authority. Their sound principle of action, during the confusions and changes of twenty years, had been to follow the sovereignty in every change in the form of its government. They acknowledged allegiance to Charles I., to the Long Parliament, and to the Protector; but, having nothing official from the authorities, they waited until they saw a prospect of stability.[2] Stimulated by the representations of their agents, all the colonies sent addresses to the king; and even the courtiers could not object to the language in which they expressed their allegiance. The king, in February, 1661, returned to the address of Massachusetts an answer full of fair words.

Measures, however, of an ominous character were soon adopted. The king was told that the New-England Confederacy "was a war combination, made by the four colonies when they had a design to throw off their dependence on England and for that purpose."[3] Individuals appeared before the Council for Foreign Plantations to testify against the colonies. Thomas Breedon, of Dublin, whom traffic

[1] Hutchinson Coll., 322.
[2] Hutchinson's Hist., i. 209.
[3] Coll. Mass. Hist. Soc., v. 192.

had carried to Boston, holding (March, 1661) a printed copy of the laws of Massachusetts in his hands, urged that the people looked on themselves as an independent State, and that there was a necessity of settling the country in a due obedience.[1] Samuel Maverick, an old resident of Boston, averred that the people of New England were all rebels, and he could prove it.[2] One of the counsel asked Leverett whether, if the colonies durst, they would not cast off their allegiance and subjection to his majesty; and he replied, "They were honest men, who had declared in their application to his majesty the contrary, and therefore he could not have such thoughts of them without a breach of charity."[3] There is no authority to add, that this remark was met by the cold jeer with which the unscrupulous are apt to greet earnest avowals by those who mean what they say; but there is in history the invention, that the colonists had a design of independence which it was not policy then to avow.[4]

When the local government and the confederacy were thus misrepresented to the Council for Foreign Plantations, action was pending that involved vital issues. I need state only results. At that time, the jurisdictions of all the colonies were far from being settled. Connecticut had no charter; New Haven had neither patent nor charter; Plymouth had only obtained a patent giving it a title to the soil, and Rhode Island had only a patent from parliament. Each colony desired to obtain powers of government from the crown or the sovereignty. The two colonies of Connecticut and Rhode Island were successful in procuring charters, which were so liberal that they recognized, substantially, the rights and liberties which the people of each enjoyed under their voluntary agreements. However gratifying these charters were to those colonies, the grant of them

[1] Deposition of Breedon, N.Y. Coll., Doc. 89.
[2] Coll. Maine Hist. Soc., i. 301.
[3] Hutchinson Coll., 339.
[4] Chalmers's Annals, 178.

was not merely a vigorous assertion of sovereignty, but was a blow levelled at the confederacy. By an article of the league, no two colonies could be united without the consent of the others; but no regard was paid by the crown to this provision. The colony of Rhode Island had been not only repeatedly denied admission to the confederacy, but it was looked upon and treated as a pariah colony; yet it was raised to the position of equality with the other colonies. No resistance was offered to this exercise of sovereignty; but there was acquiescence in it. The condemnation of Eliot's tract entitled "The Christian Commonwealth," by the General Court of Massachusetts, on account of its republican sentiments;[1] the humble language of the petitions of the colonies to the king; their endeavors, in various ways, to obtain royal favor, — New Haven going so far as to order the Navigation Act to be rigidly executed,[2] — were not certainly manifestations of a spirit of separation, but of subordination to the sovereignty. The petition of Connecticut to the king implored him "to be pleased to accept that colony, — his own colony, — a little branch of his mighty empire."

A short time after the grant of the charters of Connecticut and Rhode Island, the prodigal Charles II. bestowed (March 12, 1664) on his brother, the Duke of York, a principality, consisting of a portion of the territory of New England and the whole of New Netherland, — a territory extending from the banks of the Delaware to the St. Croix.[3] The duke was then Lord High Admiral, and at the head of a board created to enforce the Navigation Act. The Council for Foreign Plantations, to put him in possession of his American dominions, created a special commission. England and the United Netherlands were at peace, and this measure demanded an act of war. It was determined to devolve on the same commission the duty of regulating

[1] Mass. Records, iv. ii. 5. This condemnation was May 22, 1661.
[2] Palfrey's New England, ii. 554. [3] Trumbull's Connecticut, i. 266.

the internal affairs of New England, a design which for years had been in contemplation. The Duke of York was requested to name fit men for this important commission. The men selected were Colonel Richard Nichols, a cavalier of ability and honor; Sir Robert Carr and George Cartwright, two arrogant and conceited partisans, who had the spirit of Persian satraps; and Samuel Maverick, an original settler, who had quarrelled with the local authorities and had complained of their acts.

The commissioners were empowered to reduce New Netherland. A letter of the king required them to observe the condition of his subjects in New England, and make report of it to him, that he might decide "either for the better repairing of any thing that was amiss, or for the better improving and encouraging of what was good;" and especially that he might "discourage, and as much as in him lay, suppress and utterly extinguish those unreasonable jealousies and malicious calumnies which wicked and unjust spirits perpetually labor to infuse into the minds of men, that his subjects in those parts do not submit to his government, but look upon themselves as independent of him and his laws." They were also empowered to hear and determine complaints in all civil, criminal, and military cases, "according to their good and sound discretion."

On the 23d of July, 1664, a portion of the fleet designed to reduce New Netherland arrived at Boston,—the first time ships of the royal navy had been seen in that harbor. The commissioners were on board. The local authorities proffered them respect, and tendered to them the hospitality of a residence. They preferred to stop at the house of Thomas Breedon who was again in Boston. They exhibited to the Governor and Council their commission; applied for a small force of militia to serve in their expedition against the Dutch; and then, receiving the assurance that the request should be attended to, proceeded with the fleet on their mission. In September, Manhat-

tan capitulated, and thenceforth New Netherland was called New York. In October, the Swedes on the Delaware surrendered; and then the flag of England floated along the whole line of the Atlantic coast from New France to Florida, and the original colonies attained a geographical unity.

Meanwhile the General Court of Massachusetts deliberated on the very grave matter of the commission. The debates as to the course that ought to be pursued were uncommonly earnest. The reverend elders who were in town were called in to give their advice; a day of fasting and prayer was appointed, and a petition to the king was adopted. On the receipt of the intelligence of the appointment of the commission, the General Court (May 18) had put the charter in the hands of a committee to keep it "secret and safe;"[1] and it resolved (Aug. 3), God assisting, to bear faith and true allegiance to his majesty, and to adhere to the privileges of the patent, "so dearly obtained and so long enjoyed by undoubted right in the sight of God and man."[2] To do this, they would be obliged to confront at their own doors a commission clothed with the functions of determining appeals which they had successfully contested with the Long Parliament. If this commission was valid, its discretion would be installed above the local law, and thus would supersede the charter. In fact, its creation was an unwarrantable exercise of the prerogative, and, as a precedent, dangerous to English liberties, and a violation of colonial rights.

In February, 1665, three of the commissioners returned to Boston, — Colonel Nichols remaining with the fleet, — when they proceeded to assert their authority. Their functions were recognized at Plymouth, and appeals were made to them; also at Rhode Island, which, grateful for a charter, gave them in addition large tokens of respect. At Connecticut, where there was like joy for a similar favor, they met with a hearty welcome and recognition of their

[1] Mass. Records, iv. 102. [2] Ibid., 118.

authority. Gratified with their reception, they returned to Boston, prepared to deal with the most influential colony in America, hoping, they said, "that the submission and condescension of the other colonies to his majesty's designs would have abated the refractoriness of this colony which they much feared."[1] The magistrates at Plymouth, however, repelled in a spirited manner certain allegations brought against the Confederacy. In their answer to the commissioners, they said, "The league between the four colonies was not with any intent (that we ever heard of) to cast off our dependence upon England, — a thing which we utterly abhor, entreating your honors to believe us, for we speak as in the presence of God."[2]

A full board — Nichols having rejoined his associates — assembled in Boston on the 2d of May. It was the eve of the general election. The event was rendered uncommonly exciting by the novel course of the commissioners, who, in the previous February, sent letters to gentlemen in the country, inviting them and their neighbors — non-freemen as well as others — to be present at this election, and thus be "both ear and eye witnesses" of his majesty's favor, saying that this was the best way to prevent misapprehensions.[3] On that day, they attended an informal meeting of several magistrates and deputies, and submitted to them four papers containing extracts from their instructions, and a fifth paper, written by them, on matters connected with the commission. They first protested against certain rumors and sayings of the time, and they proved by undeniable argument, they said, that the commission, instead of having "been made under an old hedge," was issued by the king, was commended in letters by the king and the lord chancellor, and was brought over by three of the king's frigates; and, in the conclusion, they enlarged on the reasons that

[1] Report of the Commissioners is in Hutchinson Coll., 412.

[2] Answer of the General Court of Plymouth, May 4, 1665, Hutchinson's Hist. Mass., i. 235.

[3] Mass. Records, iv. part ii. 174.

occasioned the commission, and the wisdom of the measure.[1]

On the 3d of May, Richard Bellingham was elected governor, and Francis Willoughby deputy governor, and they were sworn into office; and among the assistants who took the oath on that day were Simon Bradstreet, Daniel Gookins, Richard Russell, Thomas Danforth, and John Leverett, — all honored names in the history of the colony.[2] The General Court met and recognized the reception of the five papers presented by the commissioners. On the 4th, a conference was held between the court and the commissioners, in which the court desired to know all his majesty had commanded to be declared to them, that they might have their whole work before them; to which the commissioners replied, that, when they received an answer to their letter, they would then present the Court with more work. On the next day (May 5), the Court answered the five papers. They met the subject of the malicious reports, by saying, that it was extremely difficult, if not impossible, to trace those wild and absurd rumors to their first fountain, every reporter commonly contributing some addition to the stream; but said that any who scandalized the commissioners deserved a severe punishment. They treated of other things, but were silent on the vital point of the validity of the commission.[3] In the subsequent correspondence, continuing more than two weeks, the arrogance of power and the scorn of popular rights, on the part of the royal commissioners, were met by the General Court in a spirit of extreme jealousy of imperilled liberty. As this was going on, the commissioners prepared to hear an appeal in the case of a notorious character who had been justly banished from the colony. They had commanded all officers, civil and military, to refrain from molesting him, and thus interfered with the course of justice. The warrant issued by the commissioners in this case was declared by the court to be an infringement of

[1] Mass. Records, iv. part ii. 186., [2] Ibid., 142. [3] Ibid., 188.

their patent. A conference was held (May 11) between a committee of the court and the commissioners. The latter were asked whether a jury would pass on the cases which they intended to hear, and their reply was in the negative; that they sat as a court of oyer and terminer. The committee urged, that, by the charter, the colonists were entitled to trial by jury; and that it would be a great addition to their former sorrows if they were obliged "to submit themselves, their lives and estates, and their liberties, far dearer than them both, to another authority whose rule was their own discretion."[1] At length the four commissioners came into the General Court, when Nichols, as their spokesman, said, "We are a court by his majesty's authority: tell us plainly and truly whether you will submit to the commission without any shuffling." The court calmly rejoined, that it could not see the grounds why it should be called to resolve such a question. The commissioners then imperiously demanded a positive answer to their question; when the court replied (May 22), "We humbly conceive it is beyond our line to declare our sense of the power, intent, or purpose of your commission. It is enough to acquaint you what we conceive is granted to us by his majesty's royal charter."[2] On the next day (May 23), the commissioners advised the assembly, that on the morrow, at nine o'clock in the morning, at the house of Captain Thomas Breedon, they would sit as a board to hear the case of Thomas Deane and others, plaintiffs, against the governor and company and Joshua Scottow, defendants.[3] The court immediately framed a declaration, and sent a copy of it to the commissioners.[4] As they did not recede, a herald, an hour before the time set for the hearing, appeared before Breedon's house, in Hanover Street, and also a hundred or more of the inhabitants. A trumpet was sounded; and, by order of the General Court, declaration was made to all the people of the colony in his majesty's name, and by the authority committed to them by

[1] Mass. Records, iv. part ii. 197. [2] Ibid., 207. [3] Ibid., 208. [4] Ibid., 209.

the royal charter, that, in observance of their duty to God and to his majesty, and the trust committed to them, they could not consent unto, nor give their approbation of, the proceedings of the commissioners; neither could they countenance any who should be their abettors.[1] This declaration was repeated in a similar form in two other places in the town. The trumpet gave no uncertain sound. This action was in the spirit of the historic influence of local self-government, in union with allegiance to the sovereignty. It was Liberty claiming its rights under the Law.

The commissioners, thus effectually thwarted, sent (May 24) two papers to the court. In one, they characterized the action of the court as opposition to the sovereignty, and referred the whole case to his majesty's wisdom. The other was a commentary, under twenty-six heads, on the book of general laws and liberties of the colony. I select only their dealing with self-government and union. They criticised the use in these laws of the terms "state," "council of state," and "commonwealth," and desired that these "indecent" expressions might be changed. They arraigned the confederation as illegal, averring that there was no right conferred by the charter "to incorporate with the other colonies, nor to exercise any power by that association: both belonged to the king's prerogative."[2] On leaving what to them was an inglorious field, the commissioners discharged a Parthian arrow, in the threat, that those who had contested their power would meet "the punishment which so many concerned in the late rebellion had met with in England."[3] In their report to the king, they arraigned in severe terms the colony as being commonwealth-like; and, after stating that it had a college, they remarked, that it was to be feared "that this college might afford as many schismatics in the church, and the corporation as many rebels to the king, as formerly they have done, if not timely prevented."[4]

[1] Mass. Records, iv. part ii. 210.
[2] Ibid., 213.
[3] Chalmers, 387.
[4] New-York Coll., Doc. iv. 112.

The committee,[1] who had guided the action of the General Court, prepared a narrative of their proceedings, which occupies over a hundred pages of the Colonial Records. This embodied the documents connected with the case, among which are the addresses which the Court sent to the King. In one of them, the General Court stated in a few words, their view of their Charter, of the limitations of their rights under it, and of the required test of loyalty as "subjects." They claimed "full and absolute power of governing all the people of this place," according to such laws as they should make, "being not repugnant to the laws of England;" and avowed that they had "above thirty years enjoyed the aforesaid power and privilege of government within themselves, as their undoubted right in the sight of God and man." They said, "We keep ourselves within our line, and meddle not with matters abroad. A just dependence upon and subjection to your majesty, according to our Charter, it is far from our hearts to disacknowledge. We so highly prize your favorable aspect, though at this great distance, as we would gladly do any thing that is in our power to purchase a continuance of it. . . . It is a great unhappiness to be reduced to so hard a case as to have no other testimony of our subjection and loyalty offered us but this; viz., to destroy our own being, which nature teaches us to preserve; or to yield up our liberties, which are far dearer to us than our lives, and which, had we any fear of being deprived of, we had never wandered from our fathers' house into these ends of the earth."[2] The report justifies

[1] On the 3d of May, 1665, the General Court ordered that Captain Gookin, Mr. Thomas Danforth, Mr. Edward Collins, Mr. William Parks, and Lieutenant Hopestill Foster, be a committee to consider of the matters presented by the Commissioners to the Court, and to consider what action was necessary. On the same day, Mr. Simon Bradstreet, Captain Daniel Gookin, Mr. Thomas Danforth, Captain Edward Johnson, Mr. Edward Jackson, Captain Richard Waldren, and Lieutenant Hopestill Foster, were appointed "to consider of all the papers delivered into this court by Colonel Richard Nichols, and the rest of his majesty's commissioners, and to present a full and meet answer unto the whole to this whole court." — Mass. Records, iv. (2), 146.

[2] Mass. Records, iv. (2), 169–172.

the formation of the Confederacy in the following strain: "Considering that they were several colonies under one king, and came from their native country for one and the same end, and were here scattered at a great distance amongst the wild savages in a vast wilderness, had no walled towns or garrisons of soldiers for their defence, they apprehended that the least they could do was to enter into a league of amity and union one with another, engaging, in case of any unjust and fresh assault made upon any part by the natives, jointly to assist each other as the matter should require: this being the end of their confederating, as the articles signed by the general courts of all the colonies, in May, 1643, will plainly demonstrate, to the end, that, as our distance of place one from another rendered us weak, and laid us open to their rage and violence, so our union might be as well to them a terror as to us strength: and, through the goodness of God, we have hitherto had large experience of the great good that by this confederation hath redounded, not only to all his majesty's subjects here planted, but even to the natives themselves, it having been a means to prevent much trouble and bloodshed among themselves; so that, although since that war some of them have sundry times made their attempts and put us to a considerable charge and trouble several ways, yet no massacre hath been among us from that day to this, blessed be God for it."[1] After this statement of the great fact of general security as a justification of the union, the report indignantly repelled the charge of having invaded the prerogative, averring that to call the union usurping authority "was contrary to the light of reason, that allows all whose journey's end is the same, and whose way lies together, to combine for their mutual help in all things common and just, without the least suspicion of taking upon them any usurped authority, whether it be by land or sea, which, therefore,

[1] Mass. Records, iv. (2), 231.

made it seem to be their special design to disunite the colonies, and so to bring us unto ruin."[1]

This remarkable state-paper exhibits the ability and the statesmanship of the colony in a favorable light. These brief citations show the clearness of its thought, the purity of its style, and the strength of its argument. It constitutes a clean political record. The action it narrates was not aimed against the sovereignty, but against an undeniable stretch of power by the administration which superseded, in many respects, the authority and powers granted by the charter; and that action was prosecuted by the General Court, not in an obstinate or a perverse spirit, but in a modest and steady adherence to what they believed, and what really were, their just rights and privileges.[2] There appears in this action an appreciation of the value of the right to make the *lex loci*, and of its proper sphere as subordinate to the supreme authority, while there is an earnest intention to fulfil every just obligation to the sovereignty. The position undoubtedly is sound, that parts of a nation ought not to be suffered to form alliances with each other for rebellious or even for ambitious purposes; but the vindication of such a step is complete when the facts show that it is taken in the spirit of the primal duty of self-preservation. This was the case of the New-England Confederacy.

The simple statement of the powers granted to the Commission is enough to condemn it. A writer, bitter against the republicanism of Massachusetts, though quick to see what touched England, remarks, that the Commission was liable to great objection, "because it might have been extended to affect English liberties, which no prerogative of the crown can abridge."[3] Another, of the same political school, writing in a historic spirit, judged that the local government "would not be thought culpable for refusing entirely to submit to the absolute authority of the commissions, which must have

[1] Mass. Records, iv. (2), 234.
[2] Hutchinson's Hist., ii. 256.
[3] Chalmers's Annals, 388.

superseded their charter; and, if this authority had been once admitted, they would have found it very difficult ever after to have ejected it."[1] This condemnation of the Commission is just; and it is no less just to say, that the courage, dignity, and intelligence of the prominent actors in these scenes entitle them to be enrolled among the pioneer defenders of American liberty.

The Confederacy, before the crown granted the charter to Connecticut, had passed through periods of serious dissension. The commissioners of one or more of the colonies had threatened to dissolve the union; and some of the provisions proved so unsatisfactory that amendments were proposed. No year, however, passed without a meeting of the commissioners. But the Confederacy lingered, rather than lived, after the blow it received by the incorporation of New Haven with Connecticut. Attempts were made to infuse into it new vigor by a renewal of the articles, and in the crisis of King Philip's War it proved to be of great usefulness; but the meetings of the commissioners became more irregular, and it disappeared when the charters of the colonies were declared to be vacated. Thus the Confederacy fell with the fall of local self-government.[2]

[1] Hutchinson's Hist., i. 251.

[2] The following is a list of the meetings of the commissioners: —

Boston,	Sept. 7, 1643.	Boston,	Sept. 3, 1657.
Hartford,	Sept. 5, 1644.	Boston,	Sept. 2, 1658.
Boston,	July 28, 1645.	Hartford,	Sept. 1, 1659.
Boston,	Sept. 11, 1645.	New Haven,	Sept. 6, 1660.
New Haven,	Sept. 9, 1646.	Plymouth,	Sept. 5, 1661.
Boston,	July 26, 1647.	Boston,	Sept. 4, 1662.
Plymouth,	Sept. 7, 1648.	Boston,	Sept. 3, 1663.
Boston,	July 28, 1649.	Hartford,	Sept. 1, 1664.
Hartford,	Sept. 5, 1650.	Hartford,	Sept. 15, 1667.
New Haven,	Sept. 4, 1651.	Boston,	June 1, 1670.
Plymouth,	Sept. 2, 1652.	Plymouth,	Sept. 5, 1672.
Boston,	April 19, 1653.	Hartford,	Aug. 21, 1673.
Boston,	May 31, 1653.	Boston,	Nov. 2, 1675.
Boston,	Sept. 1, 1653.	Hartford,	Sept. 5, 1678.
Charlestown,	June 17, 1654.	Plymouth,	Mar. 20, 1679.
Hartford,	Sept. 7, 1654.	Boston,	Aug. 25, 1679.
New Haven,	Sept. 5, 1655.	———,	Sept. 6, 1681.
Plymouth,	Sept. 4, 1656.	Hartford,	Sept. 5, 1684.

I have placed in this list an informal meeting, held on the 17th of June, 1654, at

This combination of local government and of union was made before the colonists had attained to just conceptions of what should be the basis of such a union. They were imbued with a spirit of jealousy concerning their local governments, not merely in reference to an interference by the supreme authority, but as to each other. The fraternal spirit between them as communities was feeble. The larger colony of Massachusetts evinced an overbearing spirit towards its neighbors; Connecticut, when it got the power, assumed jurisdiction over New Haven in so autocratic a manner as to deepen in the people of the latter a sense of unprovoked wrong;[1] and the three colonies had more of rebuke than of love for Rhode Island.[2] Conviction as to fundamental principles is a necessary condition to a superstructure of law; and this had not been reached. The powers reserved to each jurisdiction proved impracticable, and the provisions to promote the common welfare were crude. Notwithstanding these vital defects, the service which the Confederacy rendered was never forgotten: it was referred to in every period of the colonial age, and in seasons of peril there was a call for its revival. The em-

Charlestown, by the commissioners from Connecticut and New Haven, duly authorized to meet Robert Sedgwick and John Leverett, who held a commission from Oliver Cromwell, to consult with the commissioners of the four colonies in relation to an expedition against the Dutch. — Thurloe's State Papers, ii. 419. This is an interesting record. It was a custom for the commissioners to supply each colony with a copy of the records of their proceedings. — Winthrop, ii. 246. The larger part of the copy belonging to Massachusetts was destroyed by fire in 1747. Two copies were preserved, those of Connecticut and Plymouth. The latter is in the office of the Secretary of State of Massachusetts. Hazard printed, in 1794, from this copy, the records contained in his "Collections." In 1859, they were again printed in two noble quarto volumes, by the authority of the State of Massachusetts, and edited by a skilful chirographer, Mr. David Pulsifer. Besides valuable illustrations from the Massachusetts Archives, this reprint contains records of several meetings which are omitted in the Plymouth copy; viz., those of September, 1652; August, 1673; September, 1678; August, 1679; and September, 1684. They are reprinted from the fourth volume of the "Colonial Records of Connecticut," in which they were first printed by their editor, Mr. J. Hammond Trumbull. Neither contain the records preserved in Thurloe's "State Papers."

[1] Palfrey's New England, ii. 546.

[2] The royal commissioners said that Rhode Island was generally hated by the other colonies. — Report in Hutchinson's Coll., 412.

bodiment of the idea of union was imperfect; but the principle of the equality of the distinct jurisdictions, the inviolability of their local governments, and the aim of providing one system of law, securing to the people of all the colonies their rights, became fundamentals of a republican polity.

When such was the situation of the colonies in relation to each other, and when the condition of political science was low, is it strange that the colonists held theories and took positions inconsistent with their professions of allegiance? The coinage of money, exemption from certain forms of law, and refusing appeals to England, were of this character. But a disposition to meet every just requirement of the crown is evinced in their state-papers. In a short time they gave up objectionable points, desisted from coining, issued writs in his majesty's name, took the oath of supremacy; and even the appellate jurisdiction of the King in council came to be looked upon rather as a protection than a grievance.[1] The present to the King of a ship-load of masts for the royal navy, and a general contribution to supply the West-India fleet with provisions, elicited from him a gracious acknowledgment. Nor was the exercise of the powers of making war and peace inconsistent with professions of allegiance, or an evidence of an assumption of sovereignty. The East-India Company, even when it exercised these powers of war and peace without the direct control of the crown, was not considered a sovereignty, and "still less can it be so considered since it has been subjected to that control."[2] The New-England Confederacy exercised these powers in subordination to the supreme power; it steadily declined to form alliances with the Dutch; and its vindication by the General Court of Massachusetts shows conclusively that the people did not

[1] Story's Commentaries, i. 163. See, on theories of allegiance, Hutchinson's Hist., i. 251–253.

[2] Wheaton's Elements of International Law, 27, Lawrence's edition.

regard their action as an assumption of pretensions inconsistent with their condition as dependent colonies. Indeed, the idea that four small colonies, with a population of twenty-four thousand, formed this league to throw off their dependence on England, or entertained the design twenty years later, when their population might have been more than doubled, is absurd. They averred that they abhorred such a design. If, neglecting such disclaimers, the ministers of the crown, backed by the crown-lawyers, chose to base their policy on the misrepresentations of a faction, it was their folly and the beginning of a great blunder.[1]

[1] In treating the subject of the New-England Confederacy, I have followed contemporary authorities. The early annalists took substantially the same view of its spirit and objects. Bradford, in the "History of Plymouth Plantation," written from 1630 to 1650, and first printed in 1856, assigns (416), as the immediate cause of its formation, the hostile attitude of the Indians; Johnson, in the "Wonder Working Providence," written about 1650, and printed in 1654, gives (182) the same cause; Winthrop, in his "History of New England from 1630 to 1649," which remained in manuscript until 1790, contains (ii. 101) a full account of its origin, written in the spirit in which Bradford wrote, and adds to the causes the distractions in England; and Morton, in the "New England's Memorial," first printed in 1669, copies (227, Davis's edition) from the Bradford MS., adding to the cause of Indian plottings, "divers other and more weighty reasons." Hubbard prepared, before 1682, his "General History of New England," which remained in manuscript until 1815. He copied nearly word for word from the Winthrop MS., adding a few remarks of his own. Ogilby, in his "America," printed in 1671, uses Johnson's words. To pass over other writers, Hutchinson, in the first volume of his "History of Massachusetts," printed in 1765, states the facts as given in the Hubbard MS. (i. 126); adding that the Confederacy was countenanced by the authorities in England, and that notice of it was taken, without exception, in the letters of Charles II. Wynne, in his "General History of the British Empire," printed in 1770 in London, remarks (i. 69) that in this league the colonists "erected themselves into a sort of republican government, though they acknowledged themselves subject to a limited monarchy." Grahame, in his "History of the United States," printed in London in 1836 (i. 268), remarks, in reference to the reproach cast on the colonists of "arrogating the rights of sovereignty in this transaction," that it was "a measure that could hardly be avoided," and that it was regarded neither "by themselves nor by their English rulers as indicating pretensions unsuitable to their condition."

A different view was taken of this league by Chalmers, in his volume entitled "Political Annals of the present United Colonies," printed in London in 1780. He says that the New-England Confederacy (178) "established a complete system of absolute sovereignty." Robertson, in his "History of America," printed in England in 1788, says (Harper's edition, 446) that in this confederacy the colonists considered themselves as "possessing all the rights of sovereignty, and free from the control of any superior power." John Quincy Adams, in his discourse "on the New England Confederacy," of May 19, 1843, states that the league was "the exercise

I cannot but think that much error has crept into American history by not keeping in view the difference between opposition to the measures of an administration and resistance to the supreme power of the empire or to the sovereignty. The immigrants, in spite of what they had suffered in their native land, bore towards it a noble affection, receiving its stripes as from a mother. This affection is seen in the feeling exhibited by the Pilgrims when in Holland, who grieved at living in a place not under the protection of England, and at the thought that there was danger they might lose their language and even their name. It is seen in the tenderness of Higginson's adieu to his native land, when he exclaimed, "Farewell dear England! Farewell the church of God in England, and all the Christian friends there." It is seen in the parting address of the Winthrop company, who said they went with tears in their eyes, and sadness in their hearts. This feeling was expressed in a touching discourse spoken in New England and printed in London: "There is no land that claims our name but England: we are distinguished from all the nations in the world by the name English. There is no potentate breathing that we call our dread sovereign but King Charles; nor laws of any land have civilized us but England's. There is no nation that calls us countrymen but the English. Brethren! did we not there draw our first breath? Did not the sun first shine there upon our heads? Did not that land first bear us, even that pleasant island,—but for sin I would say that garden of the Lord, that paradise? And how have they always listened after our welfare, ebbing and flowing in their affections with us? How do they (I mean all this while multitudes of well-affected persons

of sovereign power in its highest attributes;" but remarks, that "the compact of the New England colonies, without the sanction of their sovereign, was yet not against him." Palfrey, in his "History of New England" (i. 630), printed in 1858, says "the Confederation was no less than an act of absolute sovereignty on the part of the contracting States." Bancroft, in his "History of the United States" (i. 121), coincides with the views of the early historians.

there) talk of New England with delight! How much nearer heaven do some of their charities account this land than any other place they hear of in the world! Such is their good opinion of us. How have some among them desired to die, if they might not be vouchsafed to live in this land? And when sometimes a New-England man returns thither, how is he looked upon, looked after, received, entertained, the ground he walks upon beloved for his sake, and the house held the better where he is? How are his words listened to, laid up, and related frequently when he is gone? Neither is any love or kindness held too much for such a man."[1]

This outburst of affection was for England as their native land, or the British Empire, which was regarded as the protector of the local liberties. Warm attachment to both were elements of the historic life that was unfolding.[2] Happily the growth of this life was marked, and may be traced. Even the foreshadowing of America is an interesting feature of its early annals. It was in ancient times a speculation in which philosophy indulged, that great lands were to be discovered. The poet saw them in his visions. The definite thought of Strabo of the existence of two more inhabited lands; Plato's fable of the sunken island of Atlantis; the "venient annis" of Seneca,[3] foretelling that

[1] New England's Teares for Old England's Feares, by William Hooker. 1641.

[2] John Adams (Works, x. 282), in alluding to the "habitual affection for England" in the colonial age, says, in a letter written in 1818, that "no affection could be more sincere." Samuel Adams, in a letter written to Charles Thomson, in 1774 (Life of Warren, 232), says, "Would to God all, even our enemies, knew the warm attachment we have for Great Britain!"

[3] The verses of Seneca, in the Antwerp edition, are: —

"Venient annis
Secula seris; quibus Oceanus
Vincula rerum laxet, et ingens
Pateat tellus, Tiphysque nouos
Detegat orbes, nec sit terris
Vltima Thule."

Seneca's verses were quoted in the first work of note in the English language on America, — the "Decades of the West Indies," translated from the Spanish by Richard Eden, and printed in London in 1555. It is cited in a communication by

another Typhis would discover new worlds; and other sayings, — were collected and mused upon. Columbus knew of them, and turned them to good account. They served to inspire the soul of the navigator, and "to convince monarchs of the expediency of a costly enterprise."

Thus America, like the unknown quantity in algebra, helped to solve the problem of its own existence. As the

Francesco Lopes, and is thus rendered: "There shall comme worldes in late yeeres, in the which the ocean shall unlose the bondes of thynges and a great lande shall appeare. Also Typhis (that is, nauigation) shall discover new worlds and Thyle shall not be the furthest lande." The remark is in the margin: "Island was in owlde time cauled Thyle as somme thinke." On Mercator's map of the world of 1569, the names "Islant" and "Thule" denote different parts of one island. On Behaine's famous globe of 1492 is "Ysland." This, at that time, was "the farthest lande." Typhis was the helmsman of the "Argo" in the expedition of the golden fleece. The poet in vision saw a future navigator, who, in the adventurous spirit of Typhis, would "discover new worlds." The words of Plato, Strabo, Seneca, and others (Cosmos, ii. 261, Bohn's edition), served to persuade monarchs to engage in expensive voyages.

Willes, in the preface to his edition of "Eden," printed in 1577, after dwelling on Plato's story of the "Island of Athlantides," quotes the verses of Seneca, which he renders as follows: —

"In late yeeres newe worldes shalbe founde,
And newe landes shal then appeare on the grounde.
When Typhis nauigation newe worlds shal fynde out,
Then shal not Thyle for last be left out.
For then shal the ocean dissolue his large bandes,
And shewe foorth nelue worldes, regions, and landes."

Seneca's verses were quoted by Lord Bacon in his "Essays," printed in 1597, and termed "A prophecy of the discovery of America;" and by Acosta, in his "History of the Indies." In the translation of the latter from the Spanish, printed in London in 1604, it is (38) thus rendered: —

"An age shall come, ere ages ende,
Blessedly strange and strangely blest,
When our Sea farre and neere or 'prest,
His shoare shall farther yet extend.
Descryed then shall a large Land be,
By this profound seas navigation.
An other World, an other Nation,
All men shall then discovered see.
THULE accounted heretofore
The worldes extreme, the Northerne bound
Shall be when Southwest parts be found,
A neerer Isle, a neighbour shoare."

Seneca's lines were placed by Irving on the titlepage of his "Life and Voyages of Christopher Columbus," printed in 1828.

time drew near for its discovery, the modern Florentine, Pulci, wrote, as rendered by Prescott, —

"His bark
The daring mariner shall urge far o'er
The western wave, a smooth and level plane.
. . . . . .
Men shall descry another hemisphere,
Since to one common centre all things tend;
So earth, by curious mystery divine
Well balanced, hangs amidst the starry spheres.
At our Antipodes are cities, states,
And thronged empires, ne'er divined of yore.
But see! the sun speeds on his western path
To glad the nations with expected light."

At the period when the wonders made known by Columbus and his companions kindled enthusiasm, the ancient sayings were copied into the earliest accounts of America, and called testimonies and prophecies. For more than a century, the general exultation had been for such achievements as conquest, dominion, or the discovery of gold. During the period of extended colonization in North America, the exultation rose into a nobler strain. The relations through the press were of population and wealth unexampled in the annals of the world. Combined with these motives was the high aim, to use a term contained in charters and a succession of papers, of "The Propagation of the Gospel." There then commenced a new series of poetic visions and of philosophic speculations, prefiguring the future of America; and often by the best minds of the age. Their burden was not of conquest, gold, or dominion; but it was of human advancement. The great Swedish statesman, Oxenstiern, averred that the colonization of America would prove beneficial to Europe, to the civilized world, and to Christendom. Herbert wrote, —

"Religion stands on tiptoe in our land,
Ready to pass to the American strand."[1]

[1] The lines of Herbert were first published in "The Temple," in 1633. The vice-chancellor objected to their publication; but, on consenting, said, "I hope the world will not take him to be an inspired prophet." — British Poets, 247, Little &

And, thirty years later, Cowley sang to his countrymen, —

"Your rising glory you shall view:
Wit, learning, virtue, discipline of war,
Shall for protection to your world repair,
And fix a long illustrious empire there.
. . . . . .
Late destiny shall high exalt your reign,
Whose pomp no crowds of slaves, a needless train,
Nor gold (the rabble's idol) shall support,
Like Montezume's or Guanapaci's court;
But such true grandeur as old Rome maintained,
When fortune was a slave, and virtue reigned." [1]

Brown's edition. These lines were quoted by R. B. (Robert Burton) in "The English Empire in America" (1685), p. 106, as "the prophecy of the pious, learned, and Honorable Mr. George Herbert, Orator to the University of Cambridge." They were early read in New England. — Proceedings Mass. Hist. Soc., 1866–7, 461, 464.

[1] "Book of Plants," printed in 1668, in Latin. Rendered into English by N. Tate and others in 1711, fourth edition. These lines were circulated freely in the American newspapers (Essex Gazette, Feb. 21) of 1775, as a prophecy of America.

CHAPTER III.

How Aggression on the Principle of Local Self-government led to Revolution and Inter-colonial Correspondence, and how a Common Peril occasioned a Congress.

1684 to 1690.

The New-England Confederacy recognized the equality of the colonies that were parties to it, and the inviolability of their local governments; but the provisions designed to promote the common welfare were a crude embodiment of the union element. The Confederacy rendered valuable service in peace and in war; and it lasted until the local governments were overthrown by the supreme power, and their functions were consolidated into a despotism. This prepared the way for revolution and for inter-colonial correspondence. A common peril occasioned a general congress.

These tendencies to union are seen forty-six years (1689) after the formation of the New-England Confederacy. The general maps of North America at that period assign to France the vast territory beginning at the northern boundaries of New England, and extending along the country watered by the St. Lawrence River, the great lakes, and the Mississippi River, which had lately been discovered and explored. The claim of France included Acadia, Canada, Hudson's Bay, Newfoundland, one half of Maine, of Vermont, and of New York, and the Valley of the Mississippi as far as the Rio Bravo del Norte.[1] The English colonies were delineated as occupying a narrow belt of land on the Atlantic

[1] Bancroft (iii. 175) gives a view of the French claims, and (iii. 177) states the population of the continent.

coast, between Florida on the south and Acadia on the north.[1] French statesmen were carrying out a magnificent scheme to secure dominion in North America. Yet, notwithstanding all the stimulus the French cabinet had given to discovery and colonization, the French census of 1688 for the North-American continent, gave a population of only eleven thousand two hundred and fifty-nine. The English Government rather depressed than encouraged the colonists; and yet they had reached a population of two hundred thousand.

Twelve of the thirteen original colonies were then (1688) founded. Contemporary descriptions, printed in separate tracts, or in general compilations, serve to show their progress, relative importance, and reputation. Carolina was already famed for its product of rice; but, including the great territory subsequently called Georgia, it contained only about eight thousand Europeans. They were divided between the flourishing colony of South Carolina, of which

[1] I have stated above (p. 34) that a plate of a map of America, engraved in 1606, was used in English publications down to 1659. In 1671, John Ogilby, "his Majesty's Cosmographer" and "Geographic Printer," published at London his "America: being the latest and most accurate description of the New World," &c., in a folio volume. It has what is called "a new and accurate map of America," which has the names N. Plymouth, New England, New York, Maryland, Virginia, Carolina, and Florida; but does not delineate their boundaries. The greater part of the map is nearly a *fac simile* of the beautifully engraved map of N. Visscher. The ornaments on both are the same. Both have opposite the Virginia coast "Mare Virginium." Ogilby's work contains several local maps, as of Virginia, New York, &c. The next elaborate English publication on the geography of America was published by Richard Blome in 1682. It has a long titlepage, commencing "Cosmography and Geography in two parts," &c, from "Monsieur Sanson." This volume (in folio) has a map entitled "A new mapp of America Septentrionale, Designed by Monsieur Sanson, Geographer to the French King and rendered into English and illustrated by Richard Blome. By his majesty's special command." It has New England, Maryland, Virginia, Carolina, and Florida. The fourth edition was published in 1693, and has the same map. The rivers in the region of Florida are similar to the Sanson maps of 1669 and 1657. The Mississippi River is not laid down, though at that time (1693) maps of it had been printed. The compilations of Robert Burton (1685) and of Robert Morden (1700) have only small maps. The map nearest to the date of 1690, of value, which I have met, is that of De Lisle (1700), the celebrated French geographer. This is what it purports to be, a new map. It has the Mississippi River and delineations of New England, New York, Pennsylvania, New Jersey, Maryland, Virginia, Carolina, and Florida.

Charleston was the chief settlement, and the settlements in the county of Albemarle, which were the beginnings of the colony of North Carolina.[1] Carolina was receiving large accessions of the persecuted Huguenots. The splendid domain of Virginia, celebrated for its crops of tobacco, had a population of over fifty thousand, who lived on plantations far apart from each other; the nearest approach to a town being a cluster of buildings located around "The State House" at Jamestown. They had neither printing-press, public school, nor college. It was written of Virginia, that, "as it came out of the hands of God, it was certainly one of the best countries in the world;" but as it respected well-built towns, well-educated children, and an industrious and thriving people, it was certainly "one of the poorest, miserablest, and worst countries in all America that was inhabited by Christians."[2] In Maryland, also, the people did not gather in towns. This colony invited settlers by promising "toleration in religion to all who professed faith in Christ."[3] Pennsylvania had been founded only six years. The large influence of William Penn and the mild virtues of Quakerism attracted emigrants. The city of Philadelphia was described as increasing rapidly, and as a place scarcely to be paralleled for a favorable location. New Jersey, then divided into East and West New Jersey, and its neighbors, "The Delaware Counties," were characterized as having air, soil, ports, and harbors not inferior to those of any other colony. Several towns had been founded, which were said to be in a flourishing condition. These four prosperous colonies had reached a population of forty-seven thousand. The colony of New York contained twenty thousand inhabitants. The city was described as having five hundred houses,

[1] "At a general court that was held the 28th of November, 1694, the list of taxables did not exceed 787." — Williamson's North Carolina, i. 144.

[2] 1 Mass. Hist. Coll., v. 125. An account of Virginia written about 1696.

[3] This was said in "The English Empire in America" by (R. B.) Robert Burton. This compilation contains Herbert's prophecy. See p. 70.

built of fair Dutch brick, and as being famous for pleasure and great business activity. The New-England colonies had a population of seventy-five thousand. Plymouth continued to be a backward colony; Connecticut and Rhode Island had become models of peace, progress, and self-government; Massachusetts had purchased the Province of Maine, and was rapidly growing in importance; New Hampshire, constituted in 1680 an independent colony, had but four towns.[1] These colonies enjoyed the educational influences of the town, the public school, the college, the congregational church, the public meeting, and the general assembly. The spirit of commercial enterprise was so active, and the cause of religion, as viewed by earnest souls, seemed in comparison to be so languid, that the generation who were about leaving the stage mourned over the departing glory of New England, and prophesied that she had seen her best days. But it can now be seen, that, in the inner life of religion, the original spirit was only accepting new forms. New England outwardly was moving forward with a steady step towards wealth and power, with freedom as the enlivening principle of its pursuits, and the accumulation of property, landed and personal, as the invigorating nerve of its enterprise.[2] The twelve colonies, viewed as a whole, were characterized as having "arrived to a figure so considerable as might attract the emulation of neighboring potentates, — the golden Peru hardly affording so great a treasure to the Catholic crown as their most flourishing plantations produce to the crown of England."[3]

This glance at the twelve colonies, "The English Empire in America,"[4] serves to show their relative impor-

[1] Bancroft (ii. 452) has a careful estimate of the population of each of the twelve colonies in 1688. He estimates the total at 200,000. Chalmers (Hist. of Revolt, i. 217) estimates it at 250,000.

[2] The words are in "Chalmers's Annals."

[3] Blome, in the preface to his "Present state of His Majesty's Isles and Territories in America." 1687.

[4] This is the title of a volume printed in London in 1685.

tance at the interesting period of the Revolution of 1688. They were applying the principle of local self-government. It was, under their situation, a necessity. It was not practicable for the parliament to legislate on the various little wants of each colony, — to care for the making of roads, the building of churches, and the maintenance of schools, or to frame a remedy for the inconveniences or evils that a change of circumstances daily brought forth.[1] All this was provided for under the general powers of government conveyed by the crown to each colony, either directly, as in the charters which were granted to Massachusetts, Connecticut, and Rhode Island, or through the medium of the proprietors of the soil, as in Maryland, Pennsylvania, Delaware, New Jersey, and the two Carolinas, or by instructions sent by the crown to the governors, as in Virginia, New Hampshire, and New York, which were called royal provinces. Each colony manifested a similar spirit of freedom in exercising these powers. In each the popular will was expressed through the representative assembly. Each adopted so much of the English statute law, and claimed the benefit of so much of the common law, as seemed to be suited to the condition of its inhabitants. While all recognized their subordination to the acts of parliament which expressly named the colonies, and bound them as integral parts of the empire in a general system framed for all, and for the benefit of all, they also recognized the common law, which united the colonies to the parent State by the general ties of allegiance and dependency.[2] In this spirit each community framed its local law. Each was strongly attached to the form which it had adopted, and thought it to be the best.[3] In each there was a State without nobles, and

[1] Chalmers's Annals, 45.

[2] Chalmers (Annals, 140) says, "A colony . . . may abrogate that part of the common law which is unsuitable to its new situation; may repeal the statute law wherein it is inapplicable to its condition." — See Story's Commentaries, i. 148.

[3] Andros reported in 1678, "I do not know that there is any superiority of one colony over another, but all [are] independent, though [they] generally give place to

a Church without a bishop. In each the people were governed by magistrates whom they selected, and by the laws which they framed.[1] Thus organized, the twelve colonies contained the elements of our country as it is to-day.[2]

This self-government was regarded by the supreme power as a growth of republicanism, as it really was. To meet and to check this element, the Clarendon ministry (1660 to 1667), as has been stated, devised the scheme of bringing the colonies more under the control of the prerogative; and this continued to be the policy of the Government. On the fall of Clarendon, the administration known as the Cabal wielded, for six years (1667 to 1673), the sovereignty. The Council for Foreign Plantations was enlarged (March 20, 1671), and the Duke of York and several high personages were created members. The Danby ministry succeeded the Cabal (1673 to 1679), when the Cavaliers obtained complete power. During this period, Charles II. gave Virginia away to two of his courtiers for thirty-one years,[3] and he renewed (1674) the Duke of York's patent. He dissolved (Dec. 24, 1674) the Council for Foreign Plantations, and appointed (March 12, 1675) a committee of the Privy Council to consider matters connected with the American colonies. They were directed to sit once a week, and report their proceedings to the council. This arrangement continued not only till the close of the reign of Charles, but through that of his successor.[4]

The subject of American affairs occupied the attention of the Government largely during this period. The several

and are most influenced by the Massachusetts, both in State and religion. I do not find but the generality of the magistrates and people are well affected to the king and kingdom; but most, knowing no other government than their own, think it best, and are wedded to and oppiniate for it."

[1] Rufus Choate (Life and Writings, i. 379) uses these terms in describing Geneva. [2] Bancroft, ii. 453. [3] Burk's Virginia, App., 44.

[4] The Introduction to volume three of the "Documents relating to the Colonial History of New York" has an account of the boards of trade and plantations.

administrations shrunk from a decisive interference with the internal affairs of the colonies. When it was judged that events required bold action, the debates in the Privy Council were earnest. "The question was considered thoroughly whether the council should introduce there the same government that was established in England, or should subject the colonists to the rule of a governor and council, who should have all authority in their hands, without being obliged to observe any other laws than those which should be prescribed in England." In this debate, one of the members, the Marquis of Halifax, maintained "with vehemence, that there was no reason to doubt, that the same laws under which the people of England lived ought only to be established in a country composed of Englishmen. He dwelt strongly on this point, and did not omit other reasons to prove that absolute government is neither so happy nor so secure as that which is tempered by laws, and which bounds the authority of a prince. He exaggerated the inconvenience of sovereign power, and declared squarely that he could not agree to live under a king who should have it in his power to take when he pleased the money which he [Halifax] had in his pocket." This view was opposed by all the other ministers. They held that his majesty "could and ought to govern countries so far removed from England in the manner which should appear to him the most proper to maintain the country in the state in which it is, and to increase still more its strength and riches. It was resolved that the governor and council should not be obliged to call assemblies from the country to make taxes and to regulate other important matters, but that they should do what they should judge proper, rendering an account only to his Britannic majesty."[1] This was the opinion of the Duke of York. He held that the colonies did not need general assemblies, and ought not to have

[1] Barillon to Louis XIV. London, Dec. 7, 1684, in Fox's James II. App. vii.

them.[1] This view prevailed. It was determined to create a government by a general governor and council. Before this conclusion had been reached, it was resolved to enforce rigidly the Navigation Act. Charles II. was carrying out this policy at the time of his death (1685). His successor, James II., with a bold hand, executed the scheme of governing the colonies which he had done much to inaugurate. Its opponent in the Privy Council, the Marquis of Halifax, was regarded as unfit to hold power, and was dismissed from office. It is a curious fact that, at so early a period, a question relating to American liberty, and even to American taxation, was considered to be a test of principles, friendly or adverse to arbitrary power in England. In truth, Charles James Fox remarks, "Among the several controversies which have arisen, there is no other wherein the natural rights of man on the one hand, and the authority of artificial institutions on the other," are "so fairly put in issue."[2]

This scheme, involving a change in the basis of the local governments of the colonies, pursued with more or less vigor during the reigns of Charles and James, caused a world of anxiety and confusion, and was the key to their political history at that period. Despotic power, like the wolf in the fable, stood at the head-springs of the current of American liberty, and charged those who were drinking below with roiling the waters. The royal tactics were of a low order. Officials sought pretexts on which to frame indictments against the colonies for violations of their charters, to be used in the courts, that a foregone conclusion might be carried out under the forms of justice. Edward Randolph was one of them. Busy, vigorous, and unscrupulous, he seemed to the colonists to be the originator of their troubles, and was called "the evil genius of New England." But, as he went back and forth across the Atlantic, laden with

[1] New-York Col. Doc., iii. 230.

[2] History of James II., by Charles James Fox (London edition), 60.

calumnies and falsehoods[1] about the colonists, he was simply doing the work of "his gracious master," the Duke of York, and of the set of profligates who then wielded the supreme power. Their arbitrary scheme was the proximate cause of the political troubles. The colonial agents in London were first advised that great designs were maturing against colonial liberties.[2] At length, they were officially informed, that his majesty had concluded to unite under one government "all the English territories in America from Delaware Bay to Nova Scotia." In the general consolidation of the northern colonies that followed, the people of Rhode Island and of Connecticut, who welcomed and recognized the authority of the royal commissioners in 1665, fared no better than the people of Massachusetts, who refused to submit to that illegal commission. The colonies of New Jersey and Delaware, like those of New England, were obliged to meet writs of *quo warranto* against their charters. Nor did Pennsylvania, Virginia, and the two Carolinas escape from an arbitrary interference with their internal affairs. In all the colonies popular functions were absorbed by the crown. It appointed local magistrates and county commissioners. It assumed the minute detail of administration. It conferred on a "governor and council" the function of legislation and taxation. Town-meetings for political purposes were forbidden. The representative assemblies were either abrogated or restricted. The object avowed in official papers was "to bring the colonies to a united and nearer dependence on the crown."[3] This line of proceeding was an

[1] Randolph, in a communication to the committee of the Privy Council (1676), states, that the inhabitants of the colonies of New Plymouth, Connecticut, New Hampshire, and Maine, were in favor of "settling a general government for the whole country," and were "desirous of submitting to a general governor;" on which Hutchinson (Coll., 490) says, "Not one man in a hundred throughout the governments then desired it."

[2] John Knowles, in a letter dated April 16, 1674 (Hutchinson's Coll., 447), advised Governor Leverett that there was "a great design on foot for the regulation of New England."

[3] Randolph's letter to the committee of the Privy Council, Aug. 18, 1685; in Rhode

attempt to carry out a theory, regardless of the habits and temper of the people; and that theory was absolutism.

This exercise of absolute power roused a spirit of opposition in all the colonies. They did not act in concert. They did not put forth the republican theory as the basis of their action. On the contrary, their prejudices in favor of monarchy often appear in their utterances.[1] They found themselves subjected to fitful, irregular, and vexatious stretches of power. Their aim, in their defence of their rights and liberties, was ever distinct and practicable; for it was simply the defence of a right to mould the local polity. Their claim, that taxes should be imposed by their representative assemblies, was maintained with great force. A noble argument in behalf of New Jersey, and against an illegal tax, is based on principles, and even contains phrases, similar to those of the revolutionary era. It maintained that "it was a fundamental in their constitution and government, that the King of England could not justly take his subjects' goods without their consent."[2]

The tyranny of James II. had fallen upon his English and his transatlantic subjects alike: neither were of a temper tamely to submit to it, and both were delighted to welcome the advent of William and Mary.[3] When the report reached Boston that the Prince of Orange had landed in England, an uprising against the existing rule was planned and consummated. The general-governor, Sir Edmund An-

Island Col. Records, iii. 178. He says that he had served three writs upon the proprietors of East and West New Jersey and Delaware. An Order of Council of July 15, 1685, named five *quo warrantos*.

[1] Governor Hinckly, of Plymouth, in a letter to the Lords of the Privy Council, April 24, 1685 (4 Mass. Hist. Coll., v. 135), in describing the proclamation in that colony of James II. says, "I have not observed the like assembly together amongst us, as if all were ambitiously desirous of demonstrating the natural and innate principle of loyalty engraven on their hearts to the crown of England."

[2] The great argument of New Jersey of 1680 against an arbitrary tax imposed by Andros, the governor of New York, under the commission of the Duke of York, is in Smith's "New Jersey," 117.

[3] The words in the text are those of Viscount Bury, in the "Exodus of the Western Nations," i. 391, 396, printed in 1865.

dros, and some of his associates, were imprisoned; and a provisional government, in the name of William and Mary, was established. The venerable Simon Bradstreet, formerly the governor, was the first name in the commission. The revolution extended to the Carolinas. In all the colonies, their right of local government had been violated. In all, William and Mary were joyfully proclaimed.

There was then a period of confusion and of transition. In six of the colonies, the people, either under old forms of law, or acting by methods arising out of the necessities of their situation, in the name of William and Mary, designated their governors; namely, in Massachusetts, Simon Bradstreet, eighty-seven years of age, and identified with every period of the history of the colony; in Plymouth, Thomas Hinckley; in Connecticut, Robert Treat; in Rhode Island, Henry Bull, an Antinomian; in New York, Jacob Leisler as lieutenant-governor; and in South Carolina, Seth Sothel as governor. In New Jersey and in North Carolina so much confusion prevailed that there were hardly regular governments. In Pennsylvania, the government continued under the old form. In Maryland, the popular party ruled through a convention. In Virginia, the royal governor being in England, the government was in the hands of the council, of which the president was Nathaniel Bacon, a popular favorite. New Hampshire, on the petition of its towns, was re-united to Massachusetts until the pleasure of the king should be known. The people were not unanimous in their action. A party held, that, as this resumption of the old governments was done without the sanction of the supreme authority, it was in opposition to and in contempt of the crown, and was really rebellion.[1] To this it was replied, that the proceedings were in the name and for the cause of William and Mary.[2] It was a period of angry crimina-

[1] New-York Col. Doc., iii. 352.

[2] It is said, in "The Revolution in New England Justified," that the people, in seizing and securing the governor, did no more than was done in England, in Hull Dover, and Plymouth.

tion, of hot words, and of rash acts. If the people's right to election was fiercely contested, it was ably and zealously defended. The determined spirit of the popular party was illustrated in a significant declaration of Governor Treat, of Connecticut. When the validity of his government was challenged, he said, "that the people had put him in, and he had ventured all he had above his shoulders on this account, and therefore he would maintain it."[1] Such was the political situation when the colonies received the Circular Letter of the Privy Council, announcing the accession of William and Mary, directing their proclamation, and signifying their pleasure, "that all men being in offices of government should so continue until their majesty's further pleasure be known."[2]

No colony had suffered more from arbitrary power than New York. The popular party here found a champion in Jacob Leisler. He was a native of Frankfort, in Germany, and emigrated as a soldier to New Amsterdam in 1660. Four years afterwards, he was a successful merchant. In 1683, he was appointed one of the commissioners of a court of admiralty.[3] On several occasions, he evinced a bold spirit in acting against the set who were in power, and, by order of Andros, was imprisoned, preferring the jail to the abandonment of what he considered a principle.[4] He was the captain of one of the five military companies which composed the defensive force of New York. When the people overthrew the government established by James II., they flocked to Leisler's door. At their request, he placed himself at their head, and took command at the fort; and subsequently accepted an appointment of lieutenant-governor from "a committee of safety," composed of delegates from the sev-

[1] Bulkeley's "Will of Doom," Conn. Col. Records, iii. 460.

[2] This Circular Letter of the Privy Council was dated Feb. 19, 1689, and, in relation to persons holding office, is nearly a copy of the circular sent to the colonies on the accession of James II.

[3] New-York Doc. Hist., 21: Introductory.

[4] Hoffman, in Sparks's Am. Biography, 2d series, iii. 191.

eral towns and the city. Under this authority, with the committee as his council, he wielded the government. He took possession of the fort at Albany. His education was limited, and he was rough and passionate; but he had courage, enterprise, and energy, and, under strong impulses, acted generously and honestly. His zeal for William and Mary rose into enthusiasm.

Leisler had to meet an active, powerful, and virulent party, who, not content with hurling at him the foulest words, defied his authority. He promptly addressed letters to the other colonies, informing them with great particularity of the proceedings of the friends of William and Mary in New York, and sending to them copies of the declarations and other papers which the occasion had elicited.[1] I need only state, that, in relating the difficulties he had to encounter, he declared that he intended to exercise power no longer than until he should receive orders from the Prince of Orange; and that, meantime, if he could receive the advice and approbation of the adherents of the Prince, and "if the colony would join with the whole country," it would discourage the adverse party, who were daily sowing sedition.[2] This was an invitation extended to the colonies to correspond on political subjects, and to unite in support of a common cause.

These letters elicited from several of the colonies a cordial response. The General Court of Connecticut advised Leisler to keep the fort well manned; to suffer no Roman Catholic to enter it armed or without arms; and it sent two agents to Albany.[3] On their arrival at this place, they wrote to Leisler in the warmest terms of praise, extolling his "loyalty, courage, prudence, and charge," and recognizing his good service to God, King William, and the

[1] New-York Col. Doc., iii. 594.

[2] Leisler's first letter to the Committee of Safety at Boston is dated June 4, 1689. See his letter to Connecticut, June 16, 1689. — Doc. Hist. of New York, ii. 3 and 5.

[3] Conn. Col. Records, iii. 468.

country in the preservation of the Protestant religion.[1] The letters of Governor Bradstreet are cautious, but friendly. The Assembly of Maryland solicited a "friendly and neighborly" correspondence with the northern colonies at all times, as occasion should require, concerning all matters conducive in any way to their majesties' service and the welfare of their subjects.[2] "We return you," Leisler wrote to the Maryland Assembly, "many thanks for your friendly and neighborly advice, and embrace with all our hearts your offers of a mutual and amicable correspondence with you, which we shall labor to keep and preserve with you as we do with Boston and Connecticut Colony." He also thanked the Colony of Massachusetts for their care and sympathy. Though it was said, that the adherents of James in several colonies were a cabal[3] against the Prince of Orange, yet they proved to be few in numbers and without power; the body of the people in all the colonies being warmly in favor of the Revolution. Hence unusual political action was not necessary to promote this cause, and no measure embodying the idea of union grew out of the suggestion of Leisler. The earliest inter-colonial correspondence of a political nature, however, serves to show, that, underlying the law of diversity which marked the development of American society into distinct communities, there was the powerful element of political affinity.

At that interesting period, France was pursuing with vigor the scheme for securing dominion in America. The designs of this power had been regarded with jealousy, from the first settlement of the colonies. Henceforth, for seventy years, the endeavors to carry out these designs became the fertile source of alarm and peril to the colonists, and the great spur to political and military effort.

[1] Letter of Nathan Gold and James Fitch, June 26, 1689.

[2] Mass. Archives, xxxv. 60.

[3] Coodie, of Maryland, wrote to Leisler, Nov. 26, 1689, "I believe our great men of this province, some of yours, and New England, were a cabal, and held a great correspondence against the Protestant interest." — New-York Doc. Hist., ii. 43.

The earliest result tending towards union which the French scheme produced took place when Charles II. was a pensioner of Louis XIV. The dominion to which France aspired necessarily involved encroachment on the hunting-grounds of the Indians. This had been resisted with great intrepidity and success by the powerful confederacy of the Five Nations. Some of the tribes comprising this league had assaulted the English settlements. The war-paths of their braves extended as far south as the Carolinas, in the west to the Mississippi, and in the east into Maine. As the signs indicated to them a severer struggle than ever with the French, the Five Nations desired peace with the English, and made this known through Governor Dongan of New York. He invited a conference of English officials at Albany to meet the chiefs of these tribes. It was held in July, 1684. Four colonies — Virginia, Maryland, Massachusetts, and New York[1] — were represented. Lord Howard, governor of Virginia, in the name of the English, said that he was willing to make a chain, so that they might all be brethren and great King Charles's children, which should be strong and lasting to the world's end. Cadiane, a Mohawk chief, said: "We now plant a tree whose top will reach the sun, and its branches spread far abroad, so that it shall be seen afar off, and we shall shelter ourselves under it, and live in peace without molestation."[2] In this

[1] There were present "The Right Hon. Francis Lord Howard, Baron of Effingham, Governor General of Virginia," also acting for Maryland; Colonel Thomas Dongan, governor of New York, and the magistrates of Albany; Stephanus Van Cortlandt, as the agent of Massachusetts; and several Sachems.

[2] Colden's Five Nations, ii. 49. A few days after the conference, the Maquese Sachems, in a speech addressed to the Massachusetts Agent, thanked their "brethren of Boston" for the proposals made to them three years before; expressed gratification that the covenant had been kept so fast on both sides, and said that the chain must be kept clean and bright. "We all, namely, our governor, the governor of Virginia and the Massachusetts Colony, and Maquese, are in one covenant. We do plant here a great tree of peace, whose branches spread as far as the Massachusetts Colony, Virginia, Maryland, and all that are in friendship with us, and do live in peace, unity, and tranquillity, under the shade of said tree." — Mass. Archives, xxx. 303.

conference, the North and the South met for the first time, and deliberated for the attainment of a common object. A treaty was formed, which embraced territory extending from the St. Croix to Albemarle.[1] Governor Dongan gave the warriors the arms of the Duke of York to affix to their castles. The act was interpreted by the Indians to be a pledge, on the part of the English King, to give them aid in their wars against the French; but it was intended by the English to be a recognition of the sovereignty of Great Britain.

The designs of the French, evinced in building boats, collecting materials for war, and disputing the right of the English to trade at certain places, grew more alarming from year to year, while the British Government continued to be indifferent to the issue. "If the French," the governor of New York earnestly wrote, "have all that they pretend to have discovered in these parts, the King of England will not have a hundred miles from the sea anywhere."[2] After the accession of William and Mary, hostilities were declared between France and England, which extended to America; and thus began the first inter-colonial war. The French soon planned an invasion of Boston and New York. The colonies were left to their own exertions for their defence.

When the combination of the French and Indians was alarming, Governor Bradstreet naturally reverted to the "old union and confederation," and, in letters to several of the governors, suggested its revival. The proposal was favorably received by Governor Treat, of Connecticut, in a reply imbued with a fraternal and patriotic spirit.[3] But,

[1] Bancroft, ii. 255.

[2] New-York Col. Hist. Doc., iii. 476. The paper in which this sentence occurs is dated Sept. 8, 1687.

[3] Governor Treat, in a letter dated July 31, 1689, acknowledged a letter from Bradstreet of the 17th, in which Treat says, "I hope we shall be willing, in the season of it, to revive the ancient confederation upon just terms and articles, holding forth a right consideration of our State compared with the other colonies." He says the General Court had made no choice of any commissioners.

though there were conferences between the New-England colonies, the confederacy was not revived. In New York, the factions kept up a bitter and fierce strife. The opponents of Leisler maintained an organization against his authority. He had severe provocation and a difficult *rôle*. Making, however, every allowance, his arbitrary and passionate course, not merely with his opponents but with others, evinced great lack of administrative ability. In marked contrast was the bearing of Bradstreet, who was obliged to hear the statements of both sides as to affairs in New York. In writing of them, he urged "all true Englishmen to lay aside their private animosities and intestine discords, and to unite against the common enemy."[1]

When there was this feud, the country was startled by the intelligence of an invasion of New York by the French and Indians. On the 8th of February, 1690, a war-party, who had come stealthily from Canada, entered the open gates of the town of Schenectady, when it was snowing, and broke the stillness of midnight with the terrible yell and whoop of the savages. Men, women, and children, for two hours, were mercilessly butchered. Their dwellings were burned. The whole town was sacked. The spectacle presented all the horrid features of the Indian mode of warfare. A few inhabitants, escaping from the tomahawk or scalping-knife, waded in the deep snow to Albany, and, running through the place about five in the morning, roused the inhabitants from their beds by crying the dreadful news. The intelligence flew through the colonies. It awakened the keenest sympathy. A popular demand then rose for action against the French. Among the incidents of this time of panic and passion was a visit of condolence by chiefs of the Five Nations at Albany. "Brethren," they

[1] Letter, dated Boston, Feb. 3, 1689–90, to Captain Bull, "Here are some gentlemen come with letters from New York, by the return of whom the Council write to Captain Leisler, and labor to lay before him the mischief," &c. — Mass. Archives, xxxv. 212.

said, "we come with tears in our eyes to bemoan the blood shed at Schenectady by the perfidious French. Brethren, be patient. This disaster is an affliction which has fallen from heaven upon us. The sun, which hath been cloudy, will shine again with his pleasant beams. Take courage, courage," repeating the words. "Send to New England. Tell them what has happened. They will lend us a helping hand."

Schenectady was the Fort Sumter of that day. The event had a political effect. It shamed the factions in New York at least into a truce. It roused a spirit of patriotism. The governor of Massachusetts urged, in letters to the other colonies, the necessity for immediate action to provide for the common defence. He advised Leisler of his readiness to engage in whatever might promote his majesty's service, praying that God might give success to the great undertakings then on foot in Europe for the defence and advance of the Protestant interest, and so smile on the endeavors for the recovery of the lost peace of the colonies.[1] "'Tis pity," he wrote to the governor of Plymouth, "but that in this time of action New England should be found doing something towards their own safety and defence."[2] The expedition under Sir William Phips, undertaken by Massachusetts alone, attests that he reflected the spirit of the people.

The General Court, in view of organizing a joint effort of the colonies, proposed to hold a congress. The call for a meeting is dated the 19th of March, 1690. It relates, that their majesties' subjects had been invaded by the French and Indians; that many of the colonists had been barbarously murdered, and were in danger of greater mis-

[1] Letter, dated March 15, 1690. Mass. Archives, xxxvi. 202.

[2] 4th Mass. Hist. Soc. Coll., v. 231. Letter to Thomas Hinckley, March 11, 1690. The governor says, "'Twas midnight . . . when those poor, divided, secure wretches were surprised; . . . sixty of them were butchered, of whom Lieutenant Talmage and four men were of Captain Bull's company, besides five of said company carried captive."

chiefs; and it proposed, as a measure of prevention, that the neighboring colonies, and Virginia, Maryland, and the parts adjacent, should be invited to meet at New York, and conclude on suitable methods for assisting each other for the safety of the whole land. The governor of New York was desired to transmit this invitation to the southern colonies.[1]

Such was the first call for a general congress in America. It is free from narrowness. It is liberal in its spirit, simple in its terms, and comprehensive in its object. It invited all the English colonies to send delegates to meet in assembly, and deliberate for the common good. In view of the greatness of the power that threatened them, it was urged that their united strength would be found little enough against the common enemy.[2]

The call elicited from several colonies interesting replies.

[1] The original order of the General Court is in the following terms: "Their majesty's subjects in these northern plantations of America, having of late been invaded by the French and Indians, and many of them barbarously murdered and are in great danger of further mischiefs: For the prevention whereof, it is by this court thought necessary that letters be written to the several governors of the neighboring co'onies, desiring them to appoint commissioners to meet at New York on the last Monday of April next, then to advise and conclude on suitable methods in assisting each other for the safety of the whole land. And that the governor of New York be desired to signify the same to Virginia, Maryland, and parts adjacent." Voted in the affirmative by the magistrates. Isa. Addington, Secy. The Deputies consent thereunto. Daniel Epps, per order. 19th March, 1689-90. — Mass. Archives, xxxv. 321. In the reply to this invitation by Governor Bull, dated April 18, he names "York" as the place of the meeting, which shows that the invitation was sent to him agreeably to the order. Yet, on the Massachusetts Records, the place is written plainly "Rhode Island." Trumbull (Hist. Conn., i. 391) says the invitation was to meet at Rhode Island. Holmes (Annals) and Hollister (Hist. Conn., i. 330) say the meeting was held in Rhode Island.

Leisler's Circular Letter addressed to the governors is dated April 2, 1690. — New-York Doc. Hist., ii. 211. It is mainly devoted to the situation of the French army. It states as the object of the proposed meeting to conclude what might conduce most for the king's interest, the welfare of the provinces, &c. It was sent, dated April 3, to Massachusetts and Plymouth, and appears on the face to be an original proposition. Bradstreet had looked to the "ancient union and confederation" (Letter, July 17, 1689), and this call was an extension of this idea. In a letter to Hinckley, dated April 11, 1690, Bradstreet says of the proposed congress, "the governor of New York doth accept that proposal." — 4th Mass. Hist. Coll., v. 289.

[2] Bradstreet, in his letter to Hinckley, April 11, 1690.

Governor Hinckley, of Plymouth, entered with zeal into the measure, and, though the General Court was not in session, appointed a commissioner. The Quaker-governor of Rhode Island, Henry Bull, replied in an excellent spirit. He said, that the people of that colony, expecting every day a visit of the enemy by sea, kept continual watch and ward, night and day, and were building shelters for such great artillery as they had; and, though the time was too short to convene the assembly for the appointment of commissioners, he promised the aid of that colony to the utmost of its ability to resist the French and Indians.[1] The head of the convention of Maryland wrote, that it was the design of the assembly to send arms and men to aid in the general defence; though the great distance between Maryland and New York, the unsettled state of their constitutions, and the uncertainty respecting his majesty's pleasure respecting the province, so discouraged their councils, that they could come to no definite conclusion on this point; they had, however, sent two agents to the conference to act in their name, and report to the convention the proceedings of the meeting.[2] President Bacon, of Virginia, replied, that the proposition would require the action of the assembly, and that nothing would be done until the arrival of the daily expected governor.[3] The replies to the invitation were cordial.

The commissioners of four colonies met at New York. The delegates from Massachusetts carried a commission empowering them to fix upon such methods as should be judged most suitable to provide for the general defence and security, and for subduing the common enemy.[4] The de-

[1] Letter, dated Newport, April 18, 1690. — Mass. Archives, xxxvi. 16.

[2] New-York Doc. Hist., ii. 249. [3] Ibid.

[4] The delegates from Massachusetts were William Stoughton and Samuel Sewall. Their commission, signed by Simon Bradstreet, is dated April 15, 1690. — Mass. Archives, xxxvi. 5. Connecticut was represented by Nathaniel Gold and William Pitkin; Plymouth, by John Walley; and New York, by Leisler and P. D. Lanoy, the mayor of the city.

liberations led to a unanimous result. On the 1st of May, an agreement was signed by the delegates, in behalf of the five colonies, to raise a force of eight hundred and fifty-five men for the strengthening of Albany, and, "by the help of Almighty God, subduing the French and Indian enemies." It was agreed, that the lieutenant-governor of New York should name the commander of this force; that it should not be employed on any other service without the consent of the five colonies; and that the officers should be required to preserve among their men good order, punish vice, keep the sabbath, and maintain the worship of God.[1] No proposition appears to have been entertained for a permanent organization. Indeed, the government of Massachusetts said that they called the congress "to meet a conjuncture, until more express commands should be received from the king."

[1] The following is copied from the Massachusetts Archives, xxxvi. 47: —

New York, Primo May, 1690.

At a meeting of the Commissioners of the Province of New York and the Colonies of the Massachusetts, Plymouth, and Connecticut.

It is concluded as their unanimous result, that, in the present expedition for the strengthening of Albany, the pursuing, and, by help of Almighty God, subduing the French and Indian enemies continuing in hostility against their majesties, that each of the colonies aforesaid shall provide and furnish the under-mentioned proportions of soldiers, with answerable provisions, at their own charge, to be sent with all speed, viz.:—

By New York, four hundred	400
By the Massachusetts Colony, one hundred and sixty	160
By Plymouth Colony, sixty	60
By Connecticut Colony, one hundred thirty-five	135
By Maryland, by promise	100
In all, eight hundred fifty-five	855

Further agreed that the major be appointed by the lieutenant-governor of New York, and the next captain to be appointed by the colonies of the Massachusetts, Plymouth, and Connecticut.

That all plunder and captures (if any happen) shall be divided to the officers and soldiers according to the custom of war.

That all matters of great concernment be directed and ordered by the council of war, consisting of the major with the rest of the commissioned officers, or so many of them as there is opportunity for.

That the soldiers sent out, or to be sent out, be not employed in any other service or expedition than what is now agreed on, without further consent of the several colonies.

That the officers be required to maintain good order amongst the soldiers, to discountenance and punish vice, and as much as may be to keep the sabbath, and maintain the worship of God.

Jacob Leisler, William Stoughton, Samuel Sewall, P. D. Lanoy, John Walley, Nathaniel Gold, William Pitkin.

Efforts were made to obtain additional aid from New Jersey, Pennsylvania, and Rhode Island. Leisler, in a letter addressed to the governments of these colonies, said: "I hope you will not be wanting so blessed a work at this time to please God and our gracious king. Losing the opportunity and neglecting the season may cause the next genera tion to curse us." [1]

I need only state, as the result of this congress, that it was. resolved to attempt the reduction of Canada by two lines of attack, — one to conquer Acadia, and then to move on Quebec; and the other, by the route of Lake Champlain, to assault Montreal. The New-England forces under Sir William Phips, assigned to the first route, captured Acadia and Port Royal, and sailed for Quebec, in the expectation of being aided by the other forces who marched by the Champlain route. But they, under Fitz-John Winthrop, with the title of major, were not successful. Leisler, with characteristic rashness, accused the commander of treachery; while the officers charged the commissary, Jacob Milborne, of New York, with inefficiency in procuring supplies. The failure of Winthrop occasioned the retreat of Phips. The defeat of this enterprise left the French at liberty to pursue their schemes.

In the interesting events bearing on local government and union which have been related, — the revolution, inter-colonial correspondence, and a congress, — two characters filled a large space in the public eye, Jacob Leisler and Simon Bradstreet.

Leisler lacked judgment and wisdom in administrative affairs, but his aims were comprehensive and patriotic. His words are imbued with a reverent spirit, and were evidently the utterances of an honest man. It was his lot to encounter an opposition led by persons who held office under King James. They pursued him with a relentless spirit, and at length managed to frame an indictment against him for

[1] Leisler to all the Western governments, May 13, 1690.

high treason. A court, of which Joseph Dudley, a degenerate son of Massachusetts, was the chief justice, passed sentence of death on him; and also on his son-in-law, Jacob Milborne, who had been associated with Leisler in the government.[1] The new governor, Sloughter, signed the death-warrant. The victims and their families petitioned that execution might be deferred until his majesty's pleasure could be known; and this touching appeal was supported by a memorial signed by a large portion of the people.[2] But the same relentless party spirit that desecrated the temple of justice, steeled the licentious[3] royal governor against a plea for mercy. Leisler and Milborne were led to the gallows at New York, on the 16th of May, 1691, in the midst of a heavy rain. A great number of the inhabitants were present; and a company of British soldiers, newly arrived, under Ingolsby, were drawn up to overawe them. The patriots, innocent as they certainly were of the crime alleged against them, were calm and manly. Milborne prayed for the king and queen and for the governor and council; but to a party-leader who stood near, Robert Livingston, he said, "You have caused the king that I must now die; but before God's tribunal I will implead you for the same." He said to Leisler, "We are thoroughly

[1] Contemporary records attest the deep feeling which this proceeding occasioned in Massachusetts. The following incident occurred before the execution could have been known at Boston: Lawrence Hammond writes (Journal in the Archives of the Mass. Hist. Society), under the date of May 19, 1691, "Captain Sprague told me, that, in his hearing at George Marsh's in Boston, and in the hearing of many more, Mr. Andrew Belcher, of Charlestown, on the 18th inst., did say, that the jury that found Leisler and his accomplices guilty, and Dudley, the judge who condemned them to death, deserved to be hanged themselves, and it was a pity Dudley had not been hanged when he was in England." Increase Mather, in a letter addressed to Dudley, dated Jan. 20, 1708 (1st Mass. Hist. Coll., iii. 127) wrote, "I am afraid that the guilt of innocent blood is still crying in the ears of the Lord against you: I mean the blood of Leisler and Milborne. My Lord Bellamont said to me, that he was one of the committee of the parliament who examined the matter, and that those men were not only murdered, but barbarously murdered."

[2] The petition was signed by "more than eighteen hundred persons." — New-York Doc. Col. Hist., iii. 812.

[3] Sloughter was "licentious in his morals" and avaricious.

wet with rain; but in a little while we shall be rained through with the Holy Spirit." Leisler had a wife and children, and had been irreproachable in private life. His mind was divided between his country and his agonized family. He recurred repeatedly to their condition, and implored all not to allow them to suffer on his account, but to deal in Christian charity with the fatherless and the widow. To Milborne he said, "Why must you die? You have been but a servant to us." He confessed that he had committed errors, some through ignorance, some through fear that disaffected persons would not be true to the interest of the crown of England, some through misinformation, some through passion, haste, and anger; and for these errors he asked pardon of God and of all whom he had offended. "I am a dying man," he said, "and do declare before God and the world, that what I have done was for King William and Queen Mary, for the defence of the Protestant religion and the good of the country. I am ready — I am ready."[1] They were hung, and their heads were severed from the bodies. The fainting and the piercing screams of the women and the shrieks of the people were the wail of humanity at the commission of so foul a deed. "Some," a writer says, "rushing forwards ere the life of their beloved ruler was extinct, cut off pieces of his garments as precious relics, and his hair was divided out of great veneration as for a martyr."[2] It is the office of history to bear witness to Jacob Leisler's integrity as a man, his loyalty as a subject, and his purity as a patriot.[3]

Far different was the close of the life of Simon Bradstreet, who was called the Nestor of New England. He was born in England, was educated at Emanuel College, and, emigrating to Salem, in Massachusetts, was chosen,

[1] The dying speeches of Leisler and Milborne are in the "Documentary History of New York," by Dr. E. B. O'Callaghan, ii. 376.

[2] Hoffman's Life of Leisler, Sparks's Biography, xiii. 230.

[3] An Address by Frederick de Peyster, before the New-York Historical Society, 1864, 23.

in 1630, one of the assistants. He continued fifty years in the magistracy. He was six years the deputy-governor and five years the governor, and was repeatedly chosen one of the commissioners of the United Colonies. His action during the revolution was firm and patriotic. It is to his honor that he gave encouragement and recognition to Leisler, and opposed the proceedings relating to witchcraft. He lived to a patriarchal age, and died in peace. His long career was characterized by piety, a spirit of self-sacrifice, and, in a season of danger, of moral heroism; and if he was not a great man, he yet rendered good service to the cause of liberty and his country.[1]

Bradstreet and Leisler were imbued with a spirit of loyalty. This is seen in the brief and stormy career and in the sublime dying speech of Leisler and in the long service of Bradstreet. In respect to the essential element of sovereignty, they may be considered as representative men. They were enthusiasts in behalf of William and Mary. The popular feeling in the colonies was not merely a cold acquiescence in their accession, but a high enthusiasm for it. It created joyful hearts.[2] It was hailed as a promise of a revival and guarantee of English liberties; and, with them, of a restoration to the colonists of their ancient customs and rights. When this hope animated the people, it was said in print, that it was not merely individual sentiment, but public opinion in the colonies, that the English nation was never so happy in a king and queen. The prayer was added, "The God of Heaven, who has set them on the

[1] Bradstreet died at Salem, March 27, 1697, aged ninety-five.

[2] Increase Mather was agent of Massachusetts in 1689. On the 14th of March, he was introduced to King William, who remarked, that he would direct the king and queen to be proclaimed by the former magistrates. Mather replied, "Sir, they will do it with the joyfullest hearts in the world." Mather also said to the King of New England, "Your majesty may, by the assistance of New England, become the Emperor of America. I durst engage, that your subjects there will readily venture their lives in your service. All that is humbly desired on their behalf is only that they may enjoy their ancient rights and privileges." — Cotton Mather's Remarkables.

throne of these kingdoms, grant them long and prosperously to reign!"[1]

A set of officials, however, continued to represent, that the colonies, and especially New England, desired and aimed to cast off their dependence on the mother country; and the question was debated in the Council for Foreign Plantations what form it was expedient to use in addressing colonies that were ripe for rebellion;[2] and it was said, that the popular leaders must have had orders from William unknown to others, or that they meant to cast off their dependence or obedience to the crown of England. The basis of truth in this allegation was their attachment to their local self-government, and the spirit in which the colonies, each in its own mode, opposed the designs of arbitrary power. The servile doctrine of passive obedience and non-resistance never had a foot-hold in British North America.[3] The events known as the Culpepper insurrection in Carolina, and Bacon's rebellion in Virginia, were manifestations of the same spirit which effected the revolution that extended from the Potomac to the St. Croix. Whatever might have been the ultimate tendency, the whole action was but a claim for old customs and liberties. And the closest inspection of the inter-colonial correspondence, and of the object of those who called the first American congress, will fail to discover

[1] Preface to "The Revolution in New England Justified," printed in 1691, in which the allegation that "the New Englanders were common-wealth's-men, enemies to monarchy and to the Church of England," was pronounced to be a sham.

[2] Evelyn's Diary, ii. 60, 61. June 6, 1671, "I went to council, where was produced a most ample and exact information . . . of the best expedients as to New England, on which there was a long debate." — "We understood they were on the very brink of renouncing any dependence on the crown." Aug. 3. The matter in debate was whether we should send a deputy to New England, with an open commission, "but in truth with secret instructions to inform us . . . whether they were of such power as to be able to resist his majesty, and declare for themselves as independent of the crown."

[3] The first paragraph of "The Revolution of New England Justified" (1691) is as follows: "The doctrine of passive obedience and non-resistance, which a sort of men did of late, when they thought the world would never change, cry up as divine truth, is, by means of the happy revolution in these nations, exploded; and the asserters of it become ridiculous."

hostility to the monarchical principle, or any desire to set up an independent nation.[1]

Indeed, the twelve colonies were not in a condition to establish a separate nationality. They had no bond of union. They had no naval force. Their means of inter-communication was very imperfect. George Fox, in 1671, travelled from Rhode Island to Carolina through woods and the wilderness, over bogs and across moors, sometimes being a day without a sight of man or woman or dwelling-place, sleeping in the woods and in Indian wigwams, and not without danger to his life. Six years later, another relation of a journey shows that there was then no regular road through the colonies. Nor was there, in 1690, a general post-office. In a word, there were only the germs of a nation, — ideas and their tendencies as applied by prosperous communities.

The colonies contained varied fields of enterprise. The rugged clime of New England fostered free labor and com-

[1] Chalmers (Annals, 593) remarked of this congress, "Massachusetts, New Plymouth, and Connecticut formed a league with Leisler. . . . Of New England, it is a remarkable characteristic, that she has at all times found delight amid scenes of turbulence." In the preface to his "Opinions of Eminent Lawyers," printed first in 1814, he stated, that, among the documents in the Board of Trade and Paper Office, there were "the most satisfactory proofs" of the settled purpose of the colonies, from "the epoch of the Revolution of 1688," "to acquire direct independence." He presented, however, none of these proofs. It is stated by Viscount Bury, in his "Exodus of the Western Nations" (i. 395), that, soon after the accession of William and Mary, the colonies "formed the resolution of becoming independent of the mother country." He does not, however, state any evidence to sustain this assertion.

The denial of this charge was as continuous as was its repetition. Among the actors of the period I have reviewed in this chapter was Thomas Danforth. He was an able, upright, and wise man, and had great influence in the direction of public affairs in 1665, and in 1690 particularly. He died in 1699, at the age of 77. In an elaborate letter, dated July 6, 1689, and addressed to Increase Mather (Hutchinson's Coll., 567), he refers repeatedly to the loyalty of the people to the crown. He wrote, "Nature hath taught us self-preservation: God commands it as being the rule of charity towards our neighbor. Our great remoteness from England denies us the opportunity of direction and order from thence for the regulating ourselves in all emergencies, nor have we means to know the laws and customs of our nation. These things are our great disadvantage. We have always endeavored to approve ourselves loyal to the crown of England, and are well assured that none of our worst enemies dare to tax us in that matter; and we have also labored to attend the directions of our charter, under the security whereof were laid by our fathers the foundations of this his majesty's colony."

mercial activity. The thick forests of New York abounded in game, and supplied furs and skins; the soil of Maryland and Virginia yielded great crops of tobacco; and the Carolinas were famed for rice and maize. The people of each colony desired to exchange their surplus products for the articles they needed, and they could see no sin in doing this in ships built and manned by themselves. This was the beginning of a mutually profitable commerce between the rising colonies.

The spectacle of prosperity attracted the attention of the British writers on political economy. They divided the American colonies into two distinct classes, — one the productions of which, as sugar or tobacco, did not come in competition with the products of the mother country; and the other, specifying New England, which imitated Old England in tillage, fishing, manufactures, and trade, and which, supplying the other colonies with provisions, took in exchange their sugar or rice or tobacco, and carried them to foreign ports. Legislators were advised to discriminate wisely between the depending and profitable, and the detached and undermining, colonies, and to rightly apply "tentatives and corrosives." If any were to be neglected and discouraged, it was suggested they should only be those which pursued a method that rivalled the native kingdom, and "threatened in time a total independence therefrom."[1]

This speculation, that the colonies might be in a condition to become independent, is seen also in verse. The thought was expressed by Sir Thomas Browne, in a prophecy concerning the future state of America, which occurs in a series of rather vague foreshadowings. It was of a time, —

> "When America shall cease to send out its treasure,
> But employ it at home in American pleasure;
> When the new world shall the old invade,
> Nor count them their lords, but their fellows in trade."

[1] Harlean Miscellany, ii. 360. Tract printed in 1690.

"That is," the author wrote, "when America shall be better civilized, new policied, and divided between great princes, it will come to pass that they will no longer suffer their treasure of gold and silver to be sent out for the luxury of Europe and other parts; but rather employ it to their own advantages, in great exploits and undertakings, magnificent structures, wars, or expeditions of their own. . . . When America shall be so well peopled, civilized, and divided into kingdoms, they are like to have so little regard of their originals as to acknowledge no subjection unto them; they may also have a distinct commerce between themselves, or but independently with those of Europe, and may hostilely and piratically assault them, even as the Greek and Roman colonies after a long time dealt with their original countries." [1]

[1] Sir Thomas Browne's Works, iii. 261, 266. This prophecy was first printed in 1684.

CHAPTER IV.

THE IDEAS OF LOCAL SELF-GOVERNMENT AND OF UNION FOR SEVENTY YEARS, AND THEIR COMBINATION IN THE PLAN ADOPTED BY THE ALBANY CONVENTION.

1690 TO 1760.

THE New-England Confederacy, inter-colonial correspondence, and a congress, are memorials of the working of union elements, during seventy years of the colonization of North America. As population and wealth increased, and the scheme of France to obtain dominion unfolded, the greater became the want of a way to regulate the growing commercial intercourse, and to provide for the general security. The method naturally suggested to attain these ends was to unite the colonies into a common polity. Accordingly, one class urged the formation of a union based on principles in harmony with the genius of American institutions; but union was also pressed by royal officials and others as an instrumentality to check popular power, to consolidate functions in the prerogative, to secure the advantages of a mercantile monopoly, and to inaugurate a system of taxation; and, when a convention at Albany, called by the crown, recommended a plan of union to be authorized by an act of Parliament, it was unanimously rejected by the colonial assemblies. Thus the law of diversity continued to be paramount for another period of seventy years, with the result, at its close, of thirteen colonies, independent of each other in respect to their local affairs, but united by the tie of loyalty to the crown in the bonds of a common country.

When the plan of union referred to was rejected, a new claimant had appeared for a portion of the soil of North

America. The European discoverers followed the course of the sun from the east to the land of the west over the Atlantic; but the Russians, passing over their territories from the west to the east, made discoveries and settlements on the northwest coast, which entitled them to possessions comprising an area of about half a million of square miles.[1] England, France, and Spain, beside being claimants of the soil, were rivals for a monopoly of its commerce. At that period, maps were printed in England delineating the vastness of the region which the French were attempting to hold. It was represented to be a broad belt of territory, beginning at the Gulf of St. Lawrence and extending along the basins of the great lakes, the Ohio and the Mississippi Rivers, to the Gulf of Mexico, on which were shown the forts and missionary posts which had been established.[2]

[1] Kohl (Discovery of America, ii. 146) says the Russians opened the overland route to America. The chase of the sable carried the Cossacks from the Ural to the Amoor, and the chase of the sea-otter carried them to the new continent. — Ibid., ii. 178. Kamtchatka had been known by report in Yakutsk since 1690. Behring's first expedition was in 1725, and was finished in three years; his second and great expedition, which lasted sixteen years, sailed July 4, 1741. From 1743, expeditions penetrated further east from promontory to promontory. In 1760 (ibid., ii. 179), the traders touched at Alaska.

[2] The maps of North America are too numerous to specify. It is stated, that the French and English commissioners, at and after the Treaty of Aix-la-Chapelle, in 1748, collected, consulted, and criticised as many as fifty American maps. — Kohl's Lectures on the Charts and Maps of America. The Ebeling Collection, in the Library of Harvard College, is rich in American maps. Douglass, the author of "A Summary, Historical and Political," of the British settlements in North America, in a letter to Cadwallader Colden, dated Sept. 14, 1729, says there was not a map of the provinces of New England but was "intolerably and grossly erroneous." The best map of America at this time was De Lisle's of 1722. In this map, Louisiana is delineated as a great region. The maps of Henry Popple of 1733 are very elaborate. The most accurate map, however, was that of the celebrated D'Anville. This was adopted by Douglass in his history, — the edition of 1755. The map is entitled "North America, from the French of Mr. D'Anville, improved with the back settlements of Virginia, and course of the Ohio illustrated, with Geographical and Historical remarks." The date on this map is May, 1755. The "Gentleman's Magazine" for July, 1755, contains "A Map of the British and French Settlements in North America," in which the region claimed by France appears in a darker shade than the rest of the map. In 1755, Huske published "A New and Accurate Map of North America, wherein the errors of all preceding British, French, and Dutch maps, respecting the rights of Great Britain, France, and Spain, and the limits of each of his majesty's provinces, are corrected."

The splendid territory, called Florida by the Spaniards and Louisiana by the French, extended on the Atlantic coast to Carolina. Treaty stipulations between the European powers left boundary questions in such an indefinite state, the rivalry for the colonial trade was so great, and national interests had become so complicated, that Voltaire wrote, "A shot fired in America may be the signal of the conflagration of Europe."[1]

The population of the colonies, in seventy years, increased from two hundred thousand to a million and a half. It was described as "a mixture of English, Scotch, Irish, French, Dutch, Germans, and Swedes."[2] Only small groups of Irish and Scotch were seen in the colonies in the seventeenth century; but, in the reigns of Anne and George I., oppression and scarcity of food drove large numbers of them to America. They were termed Scotch-Irish. They were generally Presbyterians; and wherever they settled, they adopted the usages of the Church of Scotland.[3] Germans also emigrated in large numbers, and chiefly into Maryland and Pennsylvania.[4] The African race rapidly multiplied, by fresh importations as well as by natural increase. Their numbers were estimated to be in New England eleven thousand; in New York and in Pennsylvania, including Delaware, each eleven thousand; in New Jersey, fifty-five hundred; and in the other colonies two hundred and twenty-two thousand.[5] The great body of them were slaves. At that period, the slave-trade was a part of the British Constitution,[6] and a share of its gains went into the national treasury. All the efforts of the colonists to check the horrid

[1] Essay on Universal History, iv. 186.

[2] "Letters from an American Farmer," and by J. Hector St. John, 48. These letters are dated from "Carlisle in Pennsylvania." In the first letter, it is stated, that, when it and some of the succeeding letters were written, the troubles that convulsed the colonies had not broken out. I quote from a new edition printed in 1783. They were written by a Frenchman (Crevecœur), who came over in 1754.

[3] Scotch-Irish Immigrations to America by William Willis.

[4] Gordon's Pennsylvania, 208.

[5] Bancroft, iv. 130.

[6] Henry Thomas Buckle.

traffic were futile. English cupidity and the avarice of unnatural Americans continued to transport Africans from their native country to the colonies, and thus a terrible legacy was inflicted on posterity.

All the colonies exercised powers of government under authority derived from the crown. In seven of them, the forms remained the same as they were at the close of the former period: Virginia and New York continued royal governments; and Maryland and Pennsylvania retained their proprietary character, the three lower counties of the latter becoming the independent province of Delaware; Connecticut and Rhode Island were permitted to resume their charters. The crown decreed important territorial and political changes in the five other colonies. It granted to Massachusetts a charter which included the Plymouth jurisdiction, and embraced the "Province of Maine;" but took from the people the election of the governor. It constituted the towns of New Hampshire a separate province; united into one colony East and West New Jersey; divided Carolina into the two colonies of North Carolina and South Carolina; and it founded Georgia, — giving to these five colonies royal governments. The rights conveyed by charters and royal instructions were necessarily vague and indefinite; but under each form the people shared in the control of local affairs through representative assemblies. When the question of forming a union occupied the public mind, the jurisdiction of the thirteen colonies was determined, their constitutions were organized, the groundwork of their jurisprudence was laid, and the character of their inhabitants was established.

A glance at the statistics of the population of the several sections of the country will indicate their political weight. New England had increased from 75,000, in 1688, to 436,000 in 1754; New York, from 20,000 to 96,000; Pennsylvania, Delaware, New Jersey, and Maryland, from 47,000 to 432,000; Virginia, from 50,000 to 284,000; and the Caro-

linas and Georgia, from 8,000 to 177,000.[1] "Some few towns excepted," a colonist wrote, "we are all tillers of the earth, from Nova Scotia to West Florida. We are a people of cultivators, scattered over an immense territory, communicating with each other by means of good roads and navigable rivers, united by the silken bands of mild government, all respecting the laws, without dreading their power, because they are equitable."[2]

The homogeneity of race and the similarity of development of the New England colonies elicited remarks on them of the kind which has been quoted.[3] It was said, that, as a people, the New Englanders were renowned for their love of letters and their wisdom, for their industry and their enterprising genius, and for universal loyalty; that there never was a people, who, with an ungrateful soil, had done more in so short a time; and that in their governments lay the main strength of the British interest on the continent.[4]

[1] Bancroft (iv. 130) estimates the population of each colony, whites and blacks, in 1754, as follows: —

		White.	Black.
New England	Massachusetts	207,000	3,000
	New Hampshire	50,000	
	Connecticut	133,000	3,500
	Rhode Island	35,000	4,500
The Middle Colonies	New York	85,000	11,000
	New Jersey	73,000	5,500
	Pennsylvania, Delaware	195,000	11,000
	Maryland	104,000	44,000
Southern Colonies	Virginia	168,000	116,000
	North Carolina	90,000	20,000
	South Carolina	40,000	40,000
	Georgia	5,000	2,000

[2] Letters from an American Farmer, 147.

[3] See pages 44, 75, 99.

[4] Letter, dated "New York, Sept. 20, 1756," attributed to Governor Livingston and two lawyers of New York. — 1 Mass. Hist. Coll., vii. 139. In the "Boston Gazette," Aug. 23, 1754, it is said, "His majesty had not a more universally loyal people in all his dominions." — Letters from an American Farmer, 49. This writer says, "I know it is fashionable to reflect on them (the New-England provinces), "but I respect them for what they have done, for the accuracy and wisdom with which they have settled their territory," &c. See also page 68. The speech of the Bishop of St. Asaph (Rev. Dr. Jonathan Shipley), intended to have been spoken in the House of Lords, and which was circulated in the American newspapers of the fall

It was remarked that the New Englanders "were the unmixed descendants of Englishmen;"[1] and the numbers of other lineage were so few as not to affect society. This homogeneity is not seen in any other group of colonies. The Dutch, French, Germans, Irish, and Scotch were so numerous in other sections as to constitute a feature of the population. This fact suggested a broad and inspiring generalization. The colonies were termed "a great American asylum."[2] In it the poor from the various nations of Europe, by some means, met together. To what purpose, it was said, should they ask one another what countrymen they were? Alas! two-thirds of them had had no country. They had been numbered in no civil list but that of the poor. They had not owned a single foot of land. They had no harvests from the fields which they had tilled. Their lives had been scenes of sore affliction or of pinching penury. They had been assailed by hunger, want, and war. And they were "only as so many useless plants, wanting the vegetable mould and the refreshing showers." But in this asylum they rank as citizens. They are stamped by the laws with the symbol of adoption. They acquire lands as the reward of their industry: this gives them the title of freemen; and to this title is affixed every benefit man can acquire. These laws proceed from the government; and the government is derived from the original genius and strong desire of the people. This is the picture every province exhibits. This is the great chain that links us all. The country for the emigrant is that which gives him land, bread, protection, and consequence. "He is an American,

of 1774, has the following allusion to the service New England rendered in the colonial wars: "Let us not forget that the people of New England were themselves, during the last war, the most forward of all in the national cause; that every year we voted them a considerable sum in acknowledgment of their zeal and their services; that in the preceding war they alone enabled us to make the Treaty of Aix-la-Chapelle, by furnishing us with the only equivalent for the towns that were taken from our allies in Flanders; and that in times of peace they alone have taken from us six times as much of our woollen manufactures as the whole kingdom of Ireland."

[1] Letters from an American Farmer, 48. [2] Ibid., 49.

who, leaving behind him all his ancient prejudices and manners, receives new ones from the new mode of life he has embraced, the new government he obeys, and the new rank he holds. He becomes an American by being received in the broad lap of our great Alma Mater. Here individuals of all nations are melted into a new race of men, whose labors and posterity will one day cause great changes in the world. Americans are the western pilgrims, who are carrying along with them that great mass of arts, sciences, vigor, and industry which began long since in the East. They will finish the great circle." [1]

The colonies, moulded and directed by a race of freemen, continued to be treated by the mother country in the autocratic spirit which has been described. The revolution, pronounced the most beneficent of all revolutions for England,[2] proved little more than a succession of an unnatural policy for America. The colonial administration of William and Mary embodied a zealous attachment to the prerogative and a stern exercise of arbitrary power.[3] Royal officials, who had been imprisoned by the colonists for their oppressions, were installed governors and judges. The same spirit controlled the colonial action during most of the reigns of Queen Anne and George I. and George II. At times, decisions were wisely taken, as was the case when Sir Robert Walpole declined to tax America. But, in the main, Great Britain, like an unnatural parent, treated her colonies, during seventy years, as aliens and rivals.

The superintendence of colonial affairs continued, for a few years after the accession of William, in the hands of the

[1] Letters from an American Farmer, 49, 50, 51, 53.

[2] Macaulay's Hist. England, ii. 661.

[3] "In the colonial administration of William III., we see the attachment to prerogative of James I. and his son, the bustle of the protector, the contrariety of Charles II., and the arbitrariness of the banished king. By denying to the colonists the liberty of the press, after it had thrown off its shackles in England, he even deprived them of freedom of mind. By refusing them the writ of *habeas corpus*, he withheld the strongest fence of personal freedom." — Chalmers's Revolt of the American Colonies, i. 307.

Privy Council. In 1696, at the instance of Lord Somers, a board was created, entitled "The Lords of Trade and Plantations." At first, it consisted of a president and seven members, but was subsequently enlarged, and was continued through the colonial age. Several of the English statesmen, whose names are familiar to Americans, from their connection with colonial politics, were members of this board. To it was assigned the duty of a general oversight of American affairs, and of recommending measures relative to the colonies, and it was the channel of official intercourse with them. In a circular (Sept. 26, 1696) to the governors, it required frequent and full information of the condition of their governments respecting commercial and political affairs; and particularly accounts of the proceedings of the assemblies, of the sums assessed for the public service, and how they were expended. The royal agents in the colonies and others addressed their letters to this board. It was the lion's mouth into which the accusations and complaints against the colonies were indiscriminately cast.

While the spirit and proceedings of this Board evinced a purpose to interfere in the internal affairs of the colonies, the scheme of France to extend her dominion in America was a continual menace. There were intervals of peace during the period of seventy years; but even in these times the establishment of a new military station was the occasion of fresh alarm to the colonists. In the long wars that were waged, the French and their Indian allies hurled the arrows of death and desolation on the back settlements of Carolina, Virginia, and Pennsylvania, and even into the heart of New England. The English colonists felt equal to the work of defending themselves from the attacks of the French colonists; but they asked that English troops might be sent over by the Government to meet French troops. The colonies, however, for many years were left to their own resources for their defence. This external danger made that whole period one of anxiety, struggle, and sorrow; of taxation tha

pressed heavily on industry; and of a flow of precious blood that transformed the home into the house of mourning. It can now be seen, however, that, in this providential school of adversity and of difficulty, statesmen and soldiers, imbued with the spirit of a new and rich political life, were trained in civil and in military affairs for the work of founding the republic.

This common danger naturally suggested to the thoughtful the value of union to provide for the general defence. "Without a general constitution for warlike operations," it was said, "we can neither plan nor execute. We have a common interest, and must have a common council, — one head and one purse." [1] Then, as population and wealth increased, and commercial exchanges multiplied, the want was the more sensibly felt of regulations applicable to all, relative to the collection of debts, the currency, weights and measures, and "to establish an equal liberty of trade in all the plantations on the continent of America." [2] It was urged, that an umpire was needed to settle the fierce disputes between the colonies about their boundaries. It was said, that no one could tell what was law and what was not law in the plantations, and that hence there was doubt and uncertainty in matters of the greatest moment; [3] and that the

[1] 1 Mass. Hist. Coll., vii. 162.

[2] Essay upon the Government of the English Plantations, &c. By an American. London: 1701, p. 55. The writer was a Virginian.

[3] The following extract from the "Essay upon the Government," &c. (1701), p. 18, describes the condition of the law in the colonial age: "It is a great unhappiness, that no one can tell what is law and what is not in the plantations. Some hold that the law of England is chiefly to be respected, and, where that is deficient, the laws of the several colonies are to take place; others are of opinion, that the laws of the colonies are to take the first place, and that the law of England is of force only where they are silent; others there are who contend for the laws of the colonies, in conjunction with those that were in force in England at the first settlement of the colony, and lay down that as the measure of our obedience, alleging that we are not bound to observe any late acts of parliament in England, except such only where the reason of the law is the same here that it is in England. But, this leaving too great a latitude to the judge, some others hold that no late act of the parliament of England do bind the plantations, but those only wherein the plantations are particularly named. Thus are we left in the dark in one of the most considerable points of our rights; and, the case being so doubtful, we are too often obliged to de-

chief thing wanting to render the inhabitants of the plantations happy was "a free constitution." Those who advocated this averred that they desired "a just and equal government, that they might enjoy their obscurity and the poor way of living which nature was pleased to afford them out of the earth in peace, and be protected in the possession thereof by their lawful mother England."[1] The mode that naturally suggested itself to obtain such a constitution was through the representative principle and by a congress, or by forming a union.

One of the earliest of the plans was that of the noble founder of Pennsylvania, William Penn, proposed in 1698. It is entitled "A brief and plain scheme whereby the English colonies may be made more useful to the crown and one another's peace and safety with an universal concurrence." It provided that each province should appoint two persons well qualified for sense, sobriety, and substance to form a congress, and to meet once a year, and oftener in time of war, and at least once in two years in times of peace; and that this congress should mature measures for the better understanding of the colonies with each other, and promote the public tranquillity; namely, the settlement of disputes between province and province, the prevention of injuries to commerce, and provisions for the general safety. It provided that the presiding officer of this body should be a high commissioner, appointed by the crown, who, in time of war, should command the colonial forces. The provision relating to supplying quotas of men and money, gives as a reason for an adjustment by congress rather than by "an establishment" in England, that the provinces knew their own condition the best, and

pend upon the crooked cord of a judge's discretion in matters of the greatest moment and value."

[1] "Essay upon the Government," 1701. In this early argument urging a union, the word "constitution" is repeatedly used. One constitution was advocated by one class of Americans.

could better adjust and balance their affairs for the common safety. This plan recognized colonial customs, and is marked by the spirit of fraternity and patriotism, and by that aim at the common good which characterized the career of William Penn.[1]

In 1698, Charles Davenant, an English writer of note, discussed elaborately the question of colonial policy in a "Discourse on the Plantation Trade." Though he advocated an exercise of the full power of the mother country over the colonies, yet he urged also a principle constantly put forth by them; namely, that, in any government that might be established over them, care should be taken to

[1] I copy this plan from the "New-York Colonial Documents," iv. 297. It is placed in the table of contents under the date of Feb. 8, 1698:—

MR. PENN'S PLAN FOR A UNION OF THE COLONIES IN AMERICA.

A brief and plain scheme how the English colonies in the North parts of America, — viz., Boston, Connecticut, Rhode Island, New York, New Jerseys, Pennsylvania, Maryland, Virginia, and Carolina, — may be made more useful to the crown and one another's peace and safety with an universal concurrence.

1. That the several colonies before mentioned do meet once a year, and oftener if need be during the war, and at least once in two years in times of peace, by their stated and appointed deputies, to debate and resolve of such measures as are most advisable for their better understanding and the public tranquillity and safety.

2. That, in order to it, two persons, well qualified for sense, sobriety, and substance, be appointed by each province as their representatives or deputies, which in the whole make the congress to consist of twenty persons.

3. That the king's commissioner, for that purpose specially appointed, shall have the chair and preside in the said congress.

4. That they shall meet as near as conveniently may be to the most central colony for ease of the deputies.

5. Since that may in all probability be New York, both because it is near the centre of the colonies and for that it is a frontier and in the king's nomination, the governor of that colony may therefore also be the king's high commissioner during the session, after the manner of Scotland.

6. That their business shall be to hear and adjust all matters of complaint or difference between province and province. As, 1st, where persons quit their own province and go to another, that they may avoid their just debts, though they be able to pay them; 2d, where offenders fly justice, or justice cannot well be had upon such offenders in the provinces that entertain them; 3d, to prevent or cure injuries in point of commerce; 4th, to consider the ways and means to support the union and safety of these provinces against the public enemies. In which congress the quotas of men and charges will be much easier and more equally set than it is possible for any establishment made here to do; for the provinces, knowing their own condition and one another's, can debate that matter with more freedom and satisfaction, and better adjust and balance their affairs in all respects for their common safety.

7. That, in times of war, the king's high commissioner shall be general or chief commander of the several quotas upon service against the common enemy, as he shall be advised, for the good and benefit of the whole.

observe sacredly the charters and terms under which the emigrants, at the hazard of their lives, had effected discoveries and settlements. After giving an abstract of Penn's plan of union, he commended it as a "constitution" contrived with good judgment, and likened it to the Grecian court of the Amphictyons. Among his suggestions is that of the formation of a "national assembly" for the consideration of all matters relative to the general welfare; and one of his liberal remarks is, that the stronger and greater the colonies grow, "the more they would benefit the crown and the kingdom; and nothing but such an arbitrary power as shall make them desperate can bring them to rebel."[1]

In 1701, a Virginian printed in London "An Essay upon the Government of the English Plantations on the Continent," in which the schemes of Penn and Davenant are sharply criticised. He held it to be a defect in the plan for the proposed general assembly, that it should consist of an equal number of deputies from each province, when the colonies were so vastly different in numbers, extent of territory, and the value of their trade; and he suggested what he regarded as a more equal apportionment.[2] He held that it would be unreasonable that the province of New York and its governor should be advanced in dignity above the rest of the colonies and their governors, as would be the case if the general council always met in New York, and its

[1] "Davenant's Works," ii. 11. He thought that the danger that New England or other parts would set up manufactures was very remote, as this was the last work of a people settled three or four hundred years.

[2] The writer of the essay (p. 69) proposed the deputies should be as follows: Virginia, four; Maryland, three; New York, two; Boston, three; Connecticut, two; Rhode Island, two; Pennsylvania, one; the two Carolinas, one; and each of the two Jerseys, one. The title of this essay is as follows: "An Essay upon the Government of the English Plantations on the Continent of America. Together with some remarks upon the Discourse on the Plantation Trade, written by the author of the Essay on Ways and Means, and published in the second part of his Discourses on the Public Revenues, and on the Trade of England. By an American. London: 1701."

governor was the high commissioner. He proposed to obviate this objection by forming five circuits, in each of which, in its turn, the deputies should hold their meetings. This would enable them to become informed as to the condition of the whole continent, and it would tend to make the most considerable persons of each province personally acquainted. It would be looked upon as a part of a genteel education for the sons of the deputies to go in their company to these conventions. This essay urged the general considerations which have been already stated in favor of such a union.

In 1722, Daniel Coxe, who held several high offices in New Jersey, printed a volume at London, intended to call public attention to the designs of France. He proposed that all the British colonies on the continent should be "united under a legal, regular, and firm establishment, over which a lieutenant or supreme governor should be constituted and appointed to preside on the spot, to whom the governors of each colony should be subordinate;" that "two deputies should be annually elected by the council and assembly of each province, who are to be in the nature of a great council or general convention of the states of the colonies," to consult for the good of the whole, and fix on the quotas of men or money that each government was to raise for the mutual defence, in which the governor-general was to have a negative; and that the quota of each colony "should be levied and raised by its own assembly in such manner as they should judge most easy and convenient." Other provisions were left for future consideration. Coxe enforced this proposal in a spirited strain of remark. He portrayed the folly of the past disunion of the colonies, and urged that "a coalition or union would lay a sure and lasting foundation of dominion, strength, and trade." — "Let us consider," he said, "the fall of our ancestors, and grow wise by their misfortunes. If the ancient Britons had been united amongst themselves, the Romans, in all probability,

had never become their masters:" they fought in separate bodies, and the whole island was subdued.[1]

These citations serve to show the germs of the union that grew into favor. It was to be formed on the basis of representation; to be as extensive as the continent; to be under one constitution; and, while protecting the rights and interests of the colonists, was to be consistent with loyalty to the crown. But no great event had occurred to create a fraternal feeling between the colonies. Their rivalries were sharp, and their interests were distinct. Nor was there the common bond of joint memories. Though they were by no means political orphans, yet their sentiment of nationality was rooted in the glories of the mother country. Then whatever growing disposition to favor union there might have been was checked by the fact, that royal officials and others zealously urged this great step as a means to promote the objects which they had in view.

The party of the prerogative recommended union, or rather unity, during the whole period of seventy years. They regarded with alarm the growth of popular power in the colonies, and as a means to check it, they continually petitioned,[2] that the various local governments might be con-

[1] Daniel Coxe was a son of a large land proprietor, had resided fourteen years in America, been speaker of the New Jersey Assembly, and had visited the most considerable colonies. His book is entitled "A Description of the English Province of Carolana, by the Spaniards called Florida, and by the French La Louisiane," &c. London, 1722. He was a judge of the Superior Court of New Jersey, and died in office at Trenton, in May, 1739. — Smith's New Jersey, 427.

[2] Petitions of this character were sent over even before the formation of the Lords of Trade. Thus the Governor and Council of New York, after elaborate argument, say, in a petition (Aug. 6, 1691) to the king, "There can be nothing in America more conducive to your majesty's dignity and advantage, and for the safety of your majesty's subjects upon this continent, than that Connecticut, East and West New Jersey, Pennsylvania, and the three lower counties (Delaware), be re-annexed to your majesty's province (New York), which will then be a government of sufficient extent." The main grievance alleged is a violation of the laws of trade. Nelson, of New York, in a memorial (Sept. 24, 1691), says, "I am now to make another remark on the principal and greatest defect and mistake in which we have been and are yet under. I mean the number and independency of so many small governments, whereby our strength is not only divided and weakened, but, by reason of their several interests, are become and do esteem each as foreigners, the one unto the other,

solidated into one government over all the colonies, or at least into two or more large and powerful governments. Some recommended the establishment of a nobility. With this was connected the suggestion of taxation by parliament. This line of recommendation had so much weight with the Lords of Trade, and harmonized so completely with their views and designs, that a remodelling of the internal affairs of the colonies and unity became at length the corner-stones of their policy.

The petitions for the appointment of a general governor, and for a consolidation of the colonies, elicited, in 1697, an elaborate report in the Board on this subject. After stating the arguments of those who opposed this measure, the Report says that it required the exercise of a higher power, and was at that time impracticable. It, however, recommended to the crown the appointment of a military head of the several colonies. Accordingly, Lord Bellamont was soon commissioned as captain-general over the provinces of New Jersey, New York, New Hampshire, and Massachusetts.

In 1701, Robert Livingston, of New York, in a letter to the Lords of Trade, recommended that "one form of government be established in all the neighboring colonies on this continent," and that they be grouped into three divisions or unions. He proposed to divide Connecticut between two of these governments, thus ignoring its charter-

so that whatever mischiefs doth happen in one part, the rest, by the reason of this disunion, remain unconcerned and our strength thereby weakened; whereas, were the colonies of New England, Hampshire, Rhode Island, Connecticut, New York joined in one," &c. — New-York Col. Doc., iv. 209. Colonel Robert Quarry, in a memorial addressed (June 16, 1703) to the Lords of Trade, gave an elaborate description of the internal concerns of the colonies, and especially as to the political opinions prevalent in them. He was high in the confidence of the Government, and was judge of admiralty in New York and Pennsylvania. He writes, "I may now say, that now or never is the time to support the queen's prerogative, and put a stop to those wrong, pernicious notions, which are improving daily, not only in Virginia, but in all her majesty's governments. . . . I cannot recommend a more effectual means than what I formerly mentioned, — the reducing all her majesty's governments on the main under one constitution and government as near as possible."

privileges. He presented the solid argument in favor of his scheme, that, as the work of defence was a general concern, so it ought to be a general charge.[1]

In 1752, Archibald Kennedy, the receiver-general of New York, recommended a scheme of union in a pamphlet printed in London. He proposed that commissioners from all the colonies should meet annually in New York or Albany, to determine on the quotas each should contribute for the general defence, and that the exaction of these quotas should be enforced by act of parliament. He said, "From upwards of forty years' observations upon the conduct of our colonial assemblies, and the little regard paid by them to instructions, if it is left altogether with them, the whole will end in altercation and words." He proposed to confer power on the commissioners to lay out and allot the lands on the frontiers of the colonies in townships, after the New-England manner, each to have sufficient territory for sixty families, and to be clear of all taxes and quit-rents for ten years, and also power to erect forts and block-houses and to regulate the trade with the Indians. He proposed that the colonies should jointly pay the expense of transporting emigrants to these townships. He referred to the provinces that formed the republic of Holland as a model for such a union, remarking that the very name of such a confederacy would strike terror into the French, and in twenty years put the whole fur-trade into British hands.[2]

In 1752, Governor Dinwiddie, of Virginia, recommended to the Board of Trade the formation of two great political

1 This scheme of Livingston, dated May 13, 1701, recommended to the Lords of Trade. "That one form of goverment be established in all the neighboring colonies on this continent. That they be divided into three distinct governments, to wit: —

"That Virginia and Maryland be annexed to South and North Carolina.

"That some part of Connecticut, New York, East and West New Jersey, Pennsylvania, and New Castle be added together.

"And that to the Massachusetts be added New Hampshire and Rhode Island and the rest of Connecticut." — New-York Col. Doc, iv. 874.

2 Importance of Gaining and Preserving the Friendship of the Indians, &c. London, 1752.

divisions, — the northern and the southern ; and, connected with it, a scheme for an alliance between the Indians and all the British Indians on the continent. He urged this plan with great zeal.

The above review of the propositions for the formation of an American constitution shows the conception of union entertained by the popular party and by the prerogative men. They harmonized to a certain extent in their objects and views. They agreed in deploring the increasing evils of distinct and rival communities,[1] in looking forward with confidence to benefits that would flow from a common polity, and in aiming at the statesman-like object of uniformity in the laws. Both parties looked with pride on their connection with the mother-country, and desired such a constitution as would be consistent with their obligation to the crown. But the differences between the two parties in objects and views in other things were important and vital. One party desired such a union as would recognize and protect the customs and privileges, the capacities and powers, the native traits of the American, — his spirit of freedom and equality, — the new society which had grown up naturally as the new race hewed their way into the wilderness and built up communities: the other party regarded this spectacle of a social system without an established aristocracy, or religion, or a nobility,[2] or hereditary

[1] Governor Hunter wrote to the Lords of Trade in 1715, "It is matter of wonder, that hitherto no effectual method has been thought of for uniting the divided strength of these provinces on the continent for the defence of the whole." — New-York Col. Doc., v. 417.

[2] Francis Bernard, in his "Principles of Law and Polity," &c., written in 1764, after he had been governor of New Jersey and while governor of Massachusetts, printed in London, says (83), "To settle the American governments to the greatest possible advantage, it will be necessary to reduce the number of them; in some places to unite and consolidate; in others to separate and transfer; and in general to divide by natural boundaries instead of imaginary lines. If there should be but one form of government established for the North-American provinces, it would greatly facilitate the reformation of them. . . . A nobility, appointed by the king for life and made independent, would probably give strength and stability to the American governments as effectually as hereditary nobility does to that of Great Britain." He thought America would not be ripe for an hereditary nobility for many years to come.

rulers, as dangerous; and looked at the instrumentality of union, not merely to provide for the common defence, but to curb the rising popular power. One party sought union to establish equality of trade: the other party sought union to enforce the mercantile system. One party aimed to preserve the principle of local self-government in full vigor: the other party aimed to abridge its powers by the process of absorption, centralization, and consolidation. One party, in the conviction that reason would in time bring the colonies together, were in favor of a voluntary union: the other party, who regarded force to be all in all of government, advocated a compulsory union, with the design of having it enforced by an act of parliament.

I have not been unmindful of the fact, that congresses[1]

[1] It may be useful to state a few facts relating to these congresses. It would extend the note too far to name all the interviews of governors with the Indians, and I select the most important.

1684. — A convention was held at Albany, consisting of officials representing Virginia, New York, Massachusetts, and Maryland, and the sachems of the Five Nations. See page 86.

1693. — Governor Fletcher, of New York, pursuant to a circular from the king, proposed a meeting of commissioners from the New England governments, Virginia, Maryland, and Pennsylvania, to be held at New York, to agree upon the quota of men and money each should contribute for the common defence. He says (New-York Col. Doc., iv. 74) that "some sent commissioners, others none. Those that came pretended they could not proceed to act without a full meeting; so that design was frustrated."

1694, Aug. 15. — Governor Fletcher, of New York; Governor Hamilton, of New Jersey; John Pynchon, Samuel Sewall, and Penn Townsend, of Massachusetts; and John Allen and Caleb Stanley, of Connecticut, as commissioners, met at Albany to hold a treaty with the Five Nations. Twenty-five sachems were present, who were accompanied by other Indians. — Holmes's Annals, i. 451. The object of the treaty was to prevent the Five Nations from making a peace with the French. Rev. Benjamin Wadsworth went with the Massachusetts commissioners. His journal is in 4 Mass. Coll., i. 102.

1709, Oct. 14. — At the request of Colonel Vetch, a congress of several governors was held at New London, to consult on an intended expedition against Canada. The British fleet not arriving as was expected, nothing was done. — Hutchinson's Mass., ii. 161; Gordon, i. 104.

1711, June 21. — In June, General Nicholson arrived at Boston with the news that a fleet might be expected soon, and with her majesty's orders to attack Canada: bearing orders that the governments of New England, New York, New Jersey, and Pennsylvania should have their quotas in readiness. A congress of governors was held at New London, on the 21st, who agreed upon the quotas for the several colo-

and conventions were held at intervals during the period I have reviewed. They were convened under the authority

nies. The officials mentioned as present are Hunter, Dudley, Saltonstall, Cranston, and Schuyler. The expedition under Nicholson and Walker met with disaster. — New-York Col. Doc., v. 257. Another congress was called this year at the suggestion of General Nicholson and Colonel Vetch. The circular is dated Boston, Nov. 13, 1711, and commences, "The underwritten governors and persons deputed from her majesty's government of the Massachusetts, New Hampshire, Connecticut, and Rhode Island, having used all means to obtain service of the Five Nations, dependent upon his majesty's government of New York, in the common service against the French and Indians of Canada, that have these nine years last past annoyed those her majesty's provinces, and at last moved a congress of the governors and deputy of the aforesaid governments to obtain the services of the Six Nations which we can come at." This circular was signed by Penn Townsend and Andrew Belcher of the Council of the Massachusetts Bay, and Addington Davenport and Thomas Hutchinson of the assembly; Samuel Penhallow of the council and Thomas Atkinson of the assembly of New Hampshire; also by Ff. Nicholson and Samuel Fetch. — Mass. Archives, ii. 454. Governor Hunter, in a reply dated Nov. 26, 1711, said he would lay the scheme before the assembly, and they (Smith's New York, 148) declared against it.

1722, Sept. 10. — A congress was held at Albany, at which were present Governor Keith and four members of the Council of Pennsylvania, the governor and seven "commissioners for Indian affairs" from New York, and the chiefs of the Five Nations. Tanachaha was the Ind an speaker. His words were translated into Dutch, and then by Robert Livingston into English. The former league was renewed. The "Historical Register" for 1723 has the proceedings. Another congress was held at the same place on the 14th of September, which was attended by Burnett of New York, Spottswood of Virginia, and Keith of Pennsylvania. — New-York Col. Doc., v. 567.

1744, June. — A congress was held at Lancaster, Penn. It consisted of commissioners from Maryland, Virginia, and Pennsylvania. They held a treaty with the deputies of Six Nations, who, with their followers and attendants, were two hundred and fifty-two. The journal of the secretary of the Maryland commissioners is in 1 Mass. Hist. Coll., vii. 172-201; Bancroft, iii. 455.

1748, July 23. — A congress was held at Albany to cultivate friendship with the Six Nations and their allies, and keep them in dependence on England. It consisted of the governor of New York, George Clinton, and Cadwallader Colden, Philip Livingston, James Delancy, and Archibald Kennedy of the New-York Council; the governor of Massachusetts, William Shirley, Thomas Hutchinson, Andrew Oliver, and John Choate as commissioners. There were present officers of "The Independent Company" and several gentlemen of New York and Massachusetts, and a greater number of Indians than any person living had seen before there. The Indians promised to send no delegation to Canada, and to keep their warriors in readiness whenever the English should call for them. — New-York Col. Doc , vi. 437. Clinton and Shirley, in a joint letter to the Lords of Trade, Aug. 18, 1748, advised that the quotas each colony was to raise should be fixed by royal instruction; and that it was requisite "to think of some measure to enforce them." Oliver, Hutchinson, and Choate of Massachusetts united in a similar memorial. — Bancroft, iv. 29.

of the crown. They were called to fix on the quotas of men and money which each colony was expected to raise for the common defence, and to hold treaties with the Indians. They were composed of governors, or prominent characters, called usually commissioners. The details relating to these congresses are voluminous, and the proceedings not without interest and importance. The treaty concluded in 1744, at Lancaster, with the Indians, was appealed to by the English in the beginning of the great struggle for dominion in America, to fortify their title to the soil as against France. The prominent members of the congress of 1748 petitioned the king that measures might be taken to compel the colonies to contribute their quotas for the common defence; it being considered a vital object to preserve peace with the Six Nations. In the congress of 1751, Governor Clinton of New York, as he handed a belt to their chiefs, told them that one of the commissioners was from South Carolina, which, being a great way off, had never sent one before. He said, "I now, by this belt, in your father the king of Great Britain's name, and in behalf of all his majesty's subjects in North America, renew and confirm the covenant chain. . . . If all the Indian nations united in friendship with Carolina, Virginia, Maryland, Pennsylvania,

1751, July 6. — Governor George Clinton invited all the governors from New Hampshire to South Carolina to join with him in an interview with the Six Nations, and the other nations depending on them, to defeat the intrigues of the French, and to prevent their encroachments on the Indian territory which Great Britain claimed under the treaty of Utrecht. He also invited the colonies to send proper presents to make to the Indians; but the assemblies, including that of New York, generally declined, excepting Massachusetts, Connecticut, and South Carolina. The latter sent a commissioner and six Indian delegates, together with a present, much too small, however, to answer a good purpose. — Clinton's Letter, Jan. 13, 1751. This was the first time South Carolina sent commissioners to a Congress. The six Indians were from the Catawbas, who had been the hereditary enemies of the Six Nations. The commissioners were from New York, Governor Clinton, and of the council Cadwallader Colden, James Alexander, James Delancy, and Edward Holland; from Massachusetts, Jacob Wendell, Joseph Dwight, and Oliver Partridge; from Connecticut William Pitkin and John Chester; and from South Carolina William Bull, Jr. "A Journal of the Commissioners" of Massachusetts is in "Mass. Archives," xxxviii. 160.

this government (New York), Connecticut, Massachusetts Bay, New Hampshire, were truly and firmly united in the same council with love and friendship, how great would that power be! What dread it would strike all their enemies! And who would dare attempt to hurt them!" The proceedings of these congresses show a habit of joint action in colonial affairs, and embrace much Indian talk. They were not, however, connected with popular movements; but they belong to the order of events that occur and leave no marked impress on the times.

The crown was exceedingly jealous of any movement of the colonies in behalf of concert of action, without its sanction. It was not unusual for the general assemblies to correspond with each other, without the intervention of the executive, in relation to the common defence. In 1697, the Massachusetts Assembly addressed a circular letter to the assemblies as far south as Maryland, describing the state of the colonial forces at Newfoundland, and asking aid for them;[1] and, in 1723, it sent a similar letter to the neighboring governments, inviting their co-operation in the war against the Indians. About this time the same assembly suggested that a convention of the colonies should be held, which was pronounced at the Board of Trade a mutinous proposal.[2] A convention of the ministers was held in Boston in 1725. In view of a great and visible decay of piety, "the growth of many miscarriages," and the fact that forty years had passed since the churches had held a synod, the convention agreed on an address to the general court, asking it to appoint the time to hold one. The two branches disagreed, and the matter was postponed.[3] On hearing of this proposition, the Lord's Justices, in a letter, reprimanded those officials who had assented to it, terming the proposition an invasion of his majesty's supremacy.[4]

The above narrative of events having a bearing on the

[1] Mass. Archives, iii. 58.
[2] Hutchinson's Mass., iii. 119.
[3] Ibid., ii. 293.
[4] Mass. Archives, lii. 301.

idea of union embraces many facts which show the condition of self-government. The development of this principle was seen in social life, as the American, imbued with a spirit of individual freedom, went on quietly creating his own proper sphere of action as the unit of a free State. He was met by laws enacted by parliament forbidding him to manufacture certain articles and restricting him in the petty detail of trade, which provoked him to reason on the natural right of labor to choose its fields, and to enjoy its earnings.[1] His conclusions, after a manner, justified the practice which ignored such laws as violated the most sacred rights of mankind.[2] It is easy now to see that this was a part of the process in America of solving the problem, how a large measure of individual liberty may be combined with obedience to every requirement of just law, how a high degree of self-government may exist and be consistent with the performance of every patriotic duty to the nation. Again, it is easy to see that this development of individual freedom was quietly undermining the old paternal theory of government, which was based on the idea that the body of the people do not possess the capacity to take care of their own personal concerns, but require to be controlled in their dress, diet, business, and opinions. I can, however, only thus casually refer to the social side of this subject, — the theme in hand requiring an adherence to facts more strictly political.

[1] The succession of acts discouraging the Americans from manufacturing — too often related to need more than a reference — provoked sharp queries. In the "Boston Gazette" of April 29, 1765, is the following: "Whose natural right is infringed by the erection of an American windmill, or the occupation of a watermill on a man's own land, provided he does not flood his neighbors? . . . A colonist cannot make a button, a horseshoe, nor a hob-nail, but some sooty ironmonger or respectable button-maker of Britain shall bawl and squall that his honor's worship is most egregiously maltreated, injured, cheated, and robbed by the rascally American republicans."

[2] McCulloch's Smith, 261. Smith remarks (262), that, though the policy of Great Britain was dictated by the same mercantile spirit as that of other nations, it had, upon the whole, been less illiberal and oppressive than that of any of them.

The fidelity of the colonists to the principle of local self-government was constant through the whole of this period (1690 to 1760). It is an interesting fact, that Europeans, by advertisements in tracts and newspapers, were promised, on their arrival and settlement in America, a share in making the laws under which they were to live. This formed, to many, one of the inducements to leave their native land, and meet the hardships in the life of a pioneer. The promise was vague in its terms; but there were no such exceptions in the charters or the advertisements as that immigrants, in their new homes, should not be allowed to make their own clothes, should not work up their rags into paper, should not carry the wool which they might grow over a river to a market, should not sell a hat to each other. And even after the acts severely restrictive on labor were passed, it might have been said, to do away with the unfavorable impression, that they were in a great measure inoperative in the colonies.[1] It was held out as an inducement to emigrate, that the lands were so productive as to render it certain that industry would enable the emigrant to better his condition, and that he would enjoy large civil liberties.

The colonies held these liberties under general powers derived from the crown. As time rolled on, they were more and more prized, as they were embodied in their free institutions. Ardent as was the attachment of the people of each colony to its local polity, still they went beyond it to meet and satisfy the great sentiment of country. They claimed to be in partnership with a noble empire. They regarded their connection with the mother country to be a fountain of good. They looked upon the English Constitution as their own. It was said in the press, "Our Constitution is English, which is another name for free and happy; and

[1] Governor Bernard, in a letter dated Jan. 7, 1764, says, "The publication of orders for the strict execution of the Molasses Act has caused a greater alarm in this country than the taking of Fort William Henry did in 1757."

is without doubt the perfectest model of civil government that has ever been in the world."[1] The colonists claimed the advantage of the great moral discoveries of Habeas Corpus and Trial by Jury, of a Popular Representation and a Free Press.[2] It was through the provisions of law that had grown up under their local governments that these discoveries, fraught with perennial blessings, were brought to their doors. In a word, they aimed to preserve their liberties and also to preserve their union with Great Britain. The banner of St. George was to the subject in the colonial age what the flag of the Stars and Stripes is to the citizen of the United States.

The royal governors, in dealing with the representative branches of their several governments, came directly in contact with this development of self-government. They regarded some of the pretensions set up by the general assemblies as invasions of the royal prerogative. They characterized the colonies as imbued with pernicious political principles, as animated by a spirit of disobedience to law, and as aiming at throwing off their dependence on the crown.[3] They were continually invoking a vigorous assertion of the prerogative, or of the power of parliament, by remodelling the local governments, and with a view of checking the growth of popular power.

These representations were sent to successive British

[1] Independent Advertiser, May 29, 1749.

[2] Sir James Mackintosh (Edinburgh Review, Oct. 1821) says, "The glory of England is the establishment of liberty in a great empire. To her belong the great moral discoveries of Habeas Corpus and Trial by Jury, of a Popular Representation and a Free Press. These institutions she sent forth with her colonies into the wilderness. By these institutions they have grown into a great nation."

[3] In 1701, when a court in New Hampshire refused to allow an appeal to the king, the Lords of Trade wrote to Lord Bellamont, "This declining to admit appeals to his majesty in council is a matter that you ought very carefully to watch against in all your governments. It is a humor that prevails so much in proprietary and charter colonies, and the independency they thirst after is now so notorious, that it has been thought fit these considerations, together with other objections against these colonies should be laid before parliament; and a bill has thereupon been brought into the House of Lords for re-uniting the right of government in their colonies to the crown." — Belknap's New Hamp., i. 247.

ministers, who were always sensitive on the point of sovereignty, and were zealous for the prerogative or for the parliament, as the tory or the whig schools predominated. Their spirit in dealing with the rising colonies is seen in the royal instructions, which aimed to restrain the liberty of the press, thus denying to the colonists freedom of mind, and in refusing to allow them the writ of *habeas corpus*, which deprived them of the great guard of personal liberty.[1] It is seen in the instructions that were given to the governors, from time to time, to maintain the prerogative; in the successive measures brought forward in parliament to override the charters, and to enlarge the powers of the Board of Trade; and in the conclusion that was reached to revise the local governments. At length, in 1750, at a meeting of the Privy Council, the Lords of Trade were directed to propose such measures as would retain and establish the prerogative in its utmost extent throughout the colonies. All branches of the home government determined to shape the colonies into new modes of being, and no other pattern was thought of than that of England.[2]

An exercise of the royal prerogative by the governors, which was regarded by the assemblies to be illegal, evoked in the colonies a sturdy defence of the rights that they held to be constitutional. The struggles between these branches were at times severe and acrimonious. A glance at a few of the issues raised, will show the political situation when the crown invited the assemblies to deliberate on the great question of union.

In New Hampshire, the issue turned on the question of representation, which the crown held was a privilege that it might give or withhold at its pleasure, but which the colonies held was a right to which they were entitled under the law. In the course of the long controversy, the Lords Justices directed the governor to issue the king's writ to

[1] Chalmers's Revolt of the Colonies, i. 307.
[2] Bancroft, iv. 55, 92.

choose representatives only to a portion of the towns, and this with a view to strengthen the prerogative. The people were so sturdy in their opposition to arbitrary power, that, in 1751, they were represented by royal officials to be in rebellion.[1] In Massachusetts, the issue for many years was mainly on the salary of the governors, royal instructions directing that they should be settled and made permanent, so that the governors might be independent of successive assemblies; while the assemblies held that the grants should be made annually, in order to insure responsibility. At this time (1754), William Shirley was the governor, who was a champion of the prerogative, and was the most prominent political character in the colonies.[2] In New York, the controversies between the two branches had been carried on with great heat; and the governors repeatedly represented that the assembly and the people aimed to throw off his majesty's authority.[3] In no colony was the claim of the assembly to be a free deliberative body put forth earlier or maintained with more intelligence and tenacity than it was in Virginia.[4] Although there had been great political tran-

[1] Belknap (ii. 209) gives a clear view of this controversy, and remarks on the documents of the two parties, that the style of the governors' messages was peremptory and severe; and that the answers and remonstrances of the assemblies were calm but resolute, and in some instances satirical.

[2] The same party who maintained the charter-privileges in the time of Charles II. and James II. continued to be the advocates of popular rights under their successors. Minot remarks (Hist. of Mass. i. 51), "From this period (1683) we may date the origin of two parties, — the patriots and prerogative men, — between whom controversy scarcely intermitted and war never ended until the separation of the two countries."

[3] Governor Clinton, April 8, 1750 (New-York Col. Doc., vi. 556), represented to the Duke of Bedford that such "were the usurpations of the assembly on the prerogative, that it assumed the whole executive powers of government." James Alexander and Robert Morris (Dec. 23, 1746) adduced two riots at Newark as "attempts to throw off his majesty's authority and their dependence on the British throne," and they said that the infection was spreading. — New-York Col. Doc., vi. 327.

[4] Colonel Quarry, a judge of the admiralty, of the council of five governments at one time, — New York, New Jersey, Pennsylvania, Maryland, and Virginia, — in his memorial of 1703, says that Virginians consider their province "of far greater importance to her majesty than all the rest of the provinces on the Maine, and there-

quillity in South Carolina, yet its governor complained that the whole power was in the hands of the people.

It would require too much space to describe these local controversies. They elicited a world of political writing. This constitutes to-day dreary reading. The governors came over with high ideas of their own importance, and with not a little of the feudal spirit, which regarded the possessors of power as the holders of so much personal property that they might turn to their own private uses; while the assemblies were imbued with the spirit of the great idea, that government is an agency or trust, which was to be exercised for the common good. It is, however, not necessary to maintain that the governors were always wrong in their positions, or that the assemblies were always right in their methods; but it was the steady aim of the governors, of their superiors and the end of their own action to check the growth of popular power, while it was the object of the assemblies to defend their constitutional rights. They were met by the indefinite, imperious, and mysterious claims of the royal prerogative, which were urged by needy governors with an arrogance and conceit that made the claims doubly offensive. This was occurring constantly through the colonial age. It is difficult to say precisely what the prerogative was. As defined by the great jurist of that age, it was something out of the ordinary course of common law, and inherent in the royal dignity.[1] As a practical thing,

fore they falsely conclude that they ought to have greater privileges than the rest of her majesty's subjects. The assembly conclude themselves entitled to all the rights and privileges of an English parliament, and begin to search into the records of that honorable house for precedents to govern themselves by. The council have vanity enough to think that they almost stand upon equal terms with the Right Honorable the House of Lords. These false and pernicious notions, if not timely prevented, will have very ill consequences. . . . As I have already hinted to your Lordships, commonwealth notions improve daily; and, if they be not checked in time, the rights and privileges of English subjects will be thought too narrow." — 3 Mass. Hist. Coll., vii. 233, 235.

[1] Blackstone began to read lectures on law in 1753. He thus defines the prerogative: "By the word prerogative we usually understand that special pre-eminence which the king hath over and above all other persons, and out of the

embodied in royal instructions and applied to the detail of affairs, it embraced well nigh the whole field of administration. It was in theory utterly hostile to the principle of local self-government. In meeting it, the members of the assemblies often manifested a zeal and an ability worthy of admiration. In doing this, they were ever mindful to keep in view their readiness to recognize a just claim for the prerogative.[1] Indeed, whether the colonists spoke through the assembly or the press, the liberty which they defended never meant an absence of law. A sentence of the press runs, "It would fill us with the deepest shame and grief, could we be justly charged with really opposing that sacred ordinance from heaven, civil government."[2]

The executive speeches and the replies of the assemblies elicited in these local contests were widely circulated in the press. The newspapers had a too intimate connection

ordinary course of common law, in right of his regal dignity. It signifies in its etymology (from *præ* and *rogo*) something that is required and demanded before or in preference to others. And hence it follows that it must be in its nature singular and excentrical; that it can only be applied to those rights and capacities which the king enjoys alone in contradistinction to others, and not to those which he enjoys in common with any of his subjects: for, if once any prerogative of the crown could be held in common with the subject, it would cease to be prerogative any longer. And, therefore, Finch lays it down as a maxim, that the prerogative is that law in the case of the king, which is law in no case of the subject." — Commentaries, i. 239. On which Professor St. George Tucker (ed. of Blackstone, ii. 239), whose notes were printed in 1803, remarks, "This definition of prerogative is enough to make a citizen of the United States shudder at the recollection that he was born under a government in which such doctrines are received as catholic."

[1] The tone of the prerogative men and the assemblies is illustrated in the messages that passed, 1753, between the executive and the legislature of New York. The lieut.-governor, James DeLancy, in a speech, said, "His majesty is displeased at the neglect and contempt shown to his royal commission and instructions by your passing laws of so extraordinary a nature, and by your unwarrantable proceedings." The council replied, that its action was taken from their view of the exigency in affairs, and "not with any view to encroach on his majesty's prerogative;" and the house replied, that it was "greatly at a loss to discover in what instance the peace and tranquillity of the colony had been disturbed, or wherein order and government had been subverted, or what there was to justify certain malicious misrepresentations to their most gracious sovereign," having "not the least thought or most distant inclination to invade, lessen, or diminish any of his majesty's just or rightful prerogatives." — Boston Evening Post, Nov. 26, 1753.

[2] Independent Advertiser, Dec. 5, 1749.

with the formation of public sentiment to allow their appearance to pass without remark. The first permanent newspaper in the colonies was established in Boston in 1704, and in about half a century journals were printed in ten of the thirteen colonies.[1] This is the most efficient instrument used in the political world; for "nothing but a newspaper can drop the same thought into a thousand minds at the same moment."[2] It soon began to play a great part in American history. The springs of this history are not to be found so much in the foresight and wise planning of a few, however great and essential may have been individual worth and influence, as in the impulses and aims of the many. At epochs in public affairs, the body of the people, at the call of some great right, or by the commission of some great wrong, have instinctively and spontaneously joined in a common effort, when society has been impelled forward by a master-passion, until the culmination of great crises. In these periods, the newspaper has been a powerful agency, not merely by passionate appeals, but by virtue of its prime office of collecting and circulating intelligence;

[1] The first newspaper that was printed in the colonies was entitled "Public Occurrences, both Foreign and Domestic," dated Boston, Thursday, Sept. 25, 1690, One number only was printed. It is republished in the "Historical Magazine" for August, 1857, from a copy made by Dr. Samuel A. Green, from an impression preserved in the Colonial State Paper Office in London. The first permanent newspaper was "The Boston News Letter." The first number is dated "from Monday, April 17 to Monday, April 24, 1704." The second was "The Boston Gazette," Dec. 21. 1719. The first printed in Philadelphia was "The American," — Dec. 22, 1719. The first in New York was "The New-York Gazette from Monday, Oct. 16 to Oct. 23, 1725;" the first in Maryland was "The Maryland Gazette," printed at Annapolis in June, 1728; the first in South Carolina was "The South-Carolina Gazette," printed at Charleston, Jan. 8, 1732; the first one in Rhode Island was "The Rhode-Island Gazette," printed at Newport, Sept. 27, 1732; the first in Virginia was "The Virginia Gazette," printed at Williamsburg in 1736; the first in Connecticut was "The Connecticut Gazette," Jan. 1, 1755, printed at New Haven; the first in North Carolina was "The North-Carolina Gazette," printed at Newbern, December, 1755; the first in New Hampshire was "The New-Hampshire Gazette," printed at Portsmouth, and dated "Friday, August, 1756." Thus, prior to 1760, journals had been printed in all the colonies except Delaware, New Jersey, and Georgia. — Thomas's History of Printing.

[2] De Tocqueville's Democracy, ii. 135.

by disseminating the facts that enabled the public opinion of one community or political centre to act on other communities. In thus adding to the momentum, the newspaper chronicles the progress of popular movements, and, after its temporary office, it remains to do historical service. It is a dial which measures and marks the play of the inner forces of society, as the meter marks the passage of the sources of light. The pages of an unfettered press are a mirror which reflects the past of a collective life, when it was stirred by fear, when it glowed with hope, when it was inspired into heroic action by the presence and the power of great ideas.

The press, about a century ago, was circulating the great facts that France had communication by water along the whole continent from Cape Breton to the mouth of the Mississippi River, and, contrary to the spirit of solemn treaties, was building forts and effecting settlements on the Ohio.[1] It was said that this was the finishing stroke of a series of ambitious and dreaded encroachments which "called aloud upon the whole British continent of America to rise as one man," and enter into a well-concerted project of resistance.[2] Several governors sent accurate and minute relations of this aggression to the Lords of Trade.

That Board had for many years been indifferent to this progress of the French. It was said, that, while England readily granted generous subsidies to petty German princes, to preserve the balance of power in Europe, it neglected to maintain its undoubted rights in America.[3] In 1748, Lord Halifax was placed at its head;[4] and on the 11th of March, 1752, it was intrusted, by an order of the Privy Council, with the duties of corresponding with the colonies except

[1] It was stated in the "Gentleman's Magazine" for January, 1752, page 40, that the French, with an army, had gone into the southwest parts of North America, and were building forts.

[2] The New-York Weekly Gazette of Sept. 23, 1754, in an elaborate summary of the state of the continent.

[3] London Magazine, August, 1754.

[4] Bancroft, iv. 86.

on special occasions, and with the nomination of the entire list of their civil officers. Halifax gave much attention to colonial affairs. He looked upon America as a vast continent which Great Britain might rule and use for its own benefit; and he soon promised to consider those defects in the local constitutions which embodied elements regarded by him as destructive of all order and government.[1] One of the members of this Board was Charles Townshend, a young orator of brilliant talents, who had made his mark in parliament. He was indefatigable in the study of colonial questions, and was warmly in favor of remodelling the local governments. The Lords of Trade were occupied with schemes for a new colonial administration, when the expulsion of the English traders from the valley of the Miami prompted royal officials in America to ask for specific instructions to regulate their conduct.

The crown at length determined to contest the claims of France. The Secretary of State, Earl Holdernesse, in a circular,[2] dated Aug. 28, 1753, addressed to the governors, in-

[1] Bancroft, iv. 41.

[2] The circulars named in the text are connected in the documents of the convention, and constitute the official calls. In the circular of the Earl of Holdernesse to the governors in America (Whitehall, Aug. 28, 1753), he said, "In case the subjects of any foreign prince or State should presume to make any encroachments on the limits of his majesty's dominions, or to erect forts on his majesty's land, or commit any other act of hostility, you are immediately to represent the injustice of such proceeding, and to require them to forthwith desist from any such unlawful undertaking; but if . . . they should still persist, you are then to draw forth the armed force of the province, and to use your best endeavors to repel force by force. But, as it is his majesty's determination not to be the aggressor, I have the king's commands most strictly to enjoin you not to make use of the armed force under your direction excepting within the undoubted limits of his majesty's dominions. . . . In case . . . of any hostile attempts, you are immediately to assemble the general assembly, and lay before them the necessity of a mutual assistance, and engage them to grant such supplies as the exigency of affairs may require."

The Lords of Trade sent to the governor of New York an elaborate letter, directing a congress to be called, dated Sept. 18, 1754; and the following circular was sent to the governors of New Jersey, Virginia, Massachusetts, New Hampshire, Maryland, and Pennsylvania: —

To Jonathan Belcher, Esquire, Governor of New Jersey.

Sir, — His majesty having been pleased to order a sum of money to be issued for presents to the Six Nations of Indians, and to direct his governor of New York to hold an interview

structed them first to protest against any encroachments on his majesty's dominions; and, if this should prove unavailing, then to use their best endeavors to muster the militia of the colonies, and repel force by force. The Lords of Trade, in a letter of the 18th of September, 1753, sent to several of the governors, required them to recommend to their respective assemblies to appoint commissioners to meet in convention, and hold a treaty with the Six Nations; and, by making presents and in other ways, prevent them from aiding the French, or uniting with the Indians under French influence. The objects of the proposed convention, more precisely specified, were to determine whether the colonies would "confirm and establish the ancient friendship of the Five Nations," and would "enter into articles of union and confederation with each other for the mutual defence of his majesty's subjects and interests in North America, as well in time of peace as war." The governor of New York, in a separate letter, was directed to fix on the time and place for holding the convention, and "to take care that all the provinces be comprised, if practicable, in one general treaty." This was the second call for an American congress based on the principle of representation, or for a body to be composed of delegates chosen by the several assemblies.

with them for delivering those presents, for burying the hatchet, and for renewing the covenant chain with them, we think it our duty to acquaint you therewith. And as we find it has been usual, upon former occasions, when an interview has been held with those Indians, for all his majesty's colonies whose interest and security is connected with and depends upon them, to join in such interview; and as the present disposition of those Indians, and the attempts which have been made to withdraw them from the British interest, appears to us to make such a general interview more particularly necessary at this time, — we desire you will lay this matter before the council and general assembly of the province under your government, and recommend to them forthwith to make a proper provision for appointing commissioners, to be joined with those of the other governments, for renewing the covenant chain with the Six Nations, and for making such presents to them as has been usual on the like occasions. And we desire, that, in the choice and nomination of commissioners, you will take care that they are men of character, ability, and integrity, and well acquainted with Indian affairs.

As to the time and place of meeting, it is left to the governor of New York to fix it; and he has orders to give you early notice of it. — We are, sir,

Your very loving friends and humble servants,

DUNK HALIFAX.
JAM: GRENVILLE.
DUPPLIN.

WHITEHALL, Sept. 18, 1753.

This proposition of the crown connected two objects, which require to be kept distinct from each other in a narrative, as they were in the public mind.

Over half a century before, the colonists had earnestly called the attention of the ministry to the claims and encroachments of the French. One of their early petitions to the king termed Canada "the unhappy fountain whence had issued all their miseries,"[1] and since the sack of Schenectady, its reduction had been a passion with them. The blood they had shed in the battle-fields of three colonial wars attested their heroism and patriotism. They welcomed the decision of the crown as implying an assurance that a great burden was about to be removed, and some of the colonies enthusiastically prepared to second the efforts of the government. It is only necessary to refer to the interesting train of events that opened the great field of war; the proceedings of the Ohio Company in occupying a large tract of western territory; the expulsion by the French of American traders from the banks of the Ohio; the mission of George Washington, and his early campaigns in the wilds of America. A speech he delivered to his command, on formally proclaiming war, is characteristic of the patriotism that was personified in his long career, and of the loyalty that animated the Americans. "Let us," Washington said, "show our willing obedience to the best of kings, and, by a strict attachment to his royal commands, demonstrate the love and loyalty we bear to his sacred person; let us, by rules of unerring bravery, strive to merit his royal favor, and a better establishment as a reward for our services."[2]

[1] Representation of Lieutenant-governor and Council of Massachusetts to the king, Sept. 24, 1756. This prays his majesty "to take under his royal consideration the reducing of Canada."

[2] War was not formally declared between France and England, until May 19, 1756. Washington, then a colonel, was at Winchester. The address contained in the following letter is not referred to by Marshall, Sparks, Irving, or other biographers whose works I have seen. I copy from the "Pennsylvania Gazette" of Sept. 16, 1756: "Winchester, Aug. 17, 1756. On Sunday, Colonel Washington having received his majesty's declaration of war against the French king, with the governor's

There was not merely a public opinion in favor of the expulsion of the French, but a conviction that it was essential to the security of the colonies.

The proposition of the crown for a convention to form a union was differently received. It was submitted and earnestly urged by governors who had been zealous for the royal prerogative. Indeed, the executive whom the crown had instructed to rule New York in the spirit of James II., was selected to take the lead in this vital measure.[1] The lan-

command to proclaim it in the most solemn manner, he ordered the three companies of the Virginia regiment at this place to appear under arms on the grand parade, at three o'clock on the evening of the next day; when, attended by the principal gentlemen of this town, they marched in regular order to Fort London, where, the soldiery being properly drawn up, the declaration was read aloud, his majesty's and many other loyal healths were drank, success to his majesty's arms, and a total extirpation of the French out of America, under a triple discharge of the artillery and three rounds of musketry, with loud acclamations of the people. After this, they marched in regular order round the town, proclaimed it at the cross streets, and, being returned to the grand parade, it was again read, and the men dismissed by Colonel Washington with the following exhortation: 'You see, gentlemen soldiers, that it has pleased our most gracious sovereign to declare war in form against the French king, and (for divers good causes, but more particularly for their ambitious usurpations and encroachments on his American dominions) to pronounce all the said French king's subjects and vassals to be enemies to his crown and dignity, and hath willed and required all his subjects and people, and in a more especial manner commanded his captain-general of his forces, his governors, and all other his commanders and officers, to do and execute all acts of hostility in the prosecution of this just and honorable war; and though our utmost endeavors can contribute but little to the advancement of his majesty's honor and the interest of his governments, yet let us show our willing obedience to the best of kings, and, by a strict attachment to his royal commands, demonstrate the love and loyalty we bear to his sacred person; let us, by rules of unerring bravery, strive to merit his royal favor, and a better establishment as a reward for our services.'"

[1] The spirit of the government is embodied in the instructions of the Lords of Trade to the governor of New York, dated Aug. 13, 1753; and it is worthy of remark that they were printed in the American papers and in the "Gentleman's Magazine" of February, 1754. In the preamble, his majesty avers that the assembly had "trampled upon" the royal prerogative and authority; had assumed to themselves the disposal of the public money; and that some of the council had "joined and concurred with the assembly" in these unwarrantable measures. The governor was directed to recommend a permanent revenue for defraying the necessary charges of the government, and to take care that "such law shall be indefinite and without limitation." All moneys raised for the supply of the government were to be applied by a warrant from the governor and council, though the assembly were to be permitted, from time to time, "to view and examine the accounts of money disposed of." Horace Walpole said that "these instructions seemed better calculated for the latitude of Mexico, and for a Spanish tribunal, than for a free, rich, British settlement."

guage of the governors, in submitting the proposition to the assemblies, was earnest, high-toned, and patriotic, and contained no allusions to alterations in the local constitutions or to taxation. Their spirit is seen in the messages of Governors Shirley of Massachusetts, and Belcher of New Jersey. They portrayed in glowing terms the progress of the French, as marked by their line of forts from Canada to the mouth of the Mississippi; their denial of the right of the English to trade with the Indians; the danger the colonies would be in, should the sixteen thousand warriors of the Six Nations go over to the French; the wisdom of establishing "one general league of friendship comprising all his majesty's colonies," and the proof of paternal care his majesty had given in directing the governors to promote this union. "In forming this union," Shirley said, "there is no time to be lost. The French seem to have advanced themselves further towards making themselves masters of the continent within the last five or six years than they have done since the first beginning of their settlements upon it." These messages announced that the convention would be held at Albany on the 14th of June.[1] The enthusiasm in behalf of this measure was confined to the circle of royal officials. The newspapers contain but few references to it. I have not met with an account of a single public meeting in favor of it. The "Philadelphia Gazette," conducted by Franklin, had the union device with the motto "Join or Die;"[2] and the measure was urged in pamphlets. Only seven of the assemblies appointed commissioners.

[1] The speech of Governor Shirley is dated April 2, 1754, and occupies one half of the "Boston Gazette" of April 30. The speech of Governor Belcher of New Jersey is dated April 25, 1754; and it gave rise to an acrimonious dispute between the executive and the assembly. The messages that passed between them were copied into the Boston papers.

[2] This device is appended to a spirited piece, dated Philadelphia, May 9, describing the terror occasioned by the assaults of the French, copied into the "Boston Gazette" of May 21, 1754. The following is an extract: "The confidence in the French in this undertaking seems well grounded on the present disunited state of the British colonies, and the extreme difficulty of bringing so many different govern-

The Congress met on the 19th of June,[1] 1754, at Albany, an old, compact Dutch city of about three hundred houses and twenty-six hundred inhabitants.[2] It was enclosed by pickets on the side of the forest, was protected on the other side by the Hudson River, and had a fort built of stone. Here the whites for a long time had held treaties with the Indians. It was soon to be the base of important military operations. There was then a condition of actual war. France was moving troops into the Valley of the Mississippi; and all the colonies were in the utmost confusion and hurry from the approaching danger.[3] Some were sending out their youth to the frontier; but others, under various pretexts, were shamefully neglectful of their duty.[4] In Maine, Governor Shirley, at the head of a thousand militia, was preparing to meet attacks in that quarter. In the basin of the Ohio, Washington, in the skirmish with the French

ments and assemblies to agree in any speedy and effectual measures for our common defence and security, while our enemies have the very great advantage of being under one direction, with one council and one purse."

The press of this period contain spirited appeals. The "Pennsylvania Gazette" of Sept. 5, 1774, says that its "object is to present such considerations as tend to rouse you up from that lethargy which seems everywhere to prevail amongst us." "The sword is coming, the alarm is sounded, and, if you will not hear, you must answer for the blood of all those who shall hereafter be slain through your neglect: you will have to answer both for the temporal and spiritual ruin of your posterity." The "New-York Weekly Gazette" (September 23) had a "summary view" of the state of the Continent, with reference to the French. It says: "Within the legal and rightful dominions of our king are the forts and settlements which this perfidious and restless nation have erected, and are now strengthening themselves in the possession of, at Ohio, as it is commonly called. This is the finishing stroke of their ambitious and highly to be dreaded encroachments. This calls aloud upon the whole British continent of America, to rise as one man, to enter into a well-concerted, an united, an active, a vigorous and resolute plan, against these, our faithless, usurping, insolent enemies."

[1] Though the convention was called for the 14th, the members did not meet until the 19th.

[2] New-York Doc. Hist., i. 696.

[3] London Magazine for August, 1754, 361. Letter, dated Williamsburgh, June 4.

[4] 1 Mass. Hist. Coll., vii. 72. "They contemned the power of Canada; confided in the number of their inhabitants; inattentive were they to the inconveniences of an endless frontier; and, in short, entirely unacquainted with the situation of the inland country. The waters of the Ohio, before this period, were scarcely known, save to a few Indian traders; and the generality deemed those French settlements too remote to be the object of dread, and a matter of insignificant moment."

under Jumonville, had fired the shot which proved the signal of the first war of revolution.[1]

The Congress, convened at the City Hall, consisted of five commissioners from Massachusetts, four from New Hampshire, three from Connecticut, two from Rhode Island, four from Pennsylvania, two from Maryland, and the lieutenant-governor, with four of the council, of New York,— twenty-five in all; among them were some of the most considerable men, both for abilities and fortunes, of North America.[2] Thomas Hutchinson of Massachusetts had been in public life for eighteen years, had rendered valuable service, and had evinced such varied ability, that he was spoken of as the greatest and best man in America.[3] Theodore Atkinson, the chief-justice of New Hampshire, was eminent as a jurist; and Meshech Weare, speaker of the assembly of this colony, was subsequently one of the substantial patriots of the Revolution, as was Stephen Hopkins of Rhode Island, who signed the Declaration of Independence. Roger Wolcott, jr., was a judge of the Connecticut superior court. James Delancy, of great fortune and large ambition, the lieutenant-governor of New York, was figuring conspicuously as a political leader, and was a champion of the prerogative. William Smith of the council, famed for classic lore and eminent as a lawyer, had been one of the counsel for Zenger, in the great trial involving the liberty of the press. William Johnson, soon to be made a baronet, was born in Ireland; but had lived many years in the Valley of the Mohawk like a

[1] Bancroft, iv. 118. The "London Magazine" for August, 1754, has Washington's letter to his brother of May 31, in which he says, "I heard the bullets whistle; and, believe me, there is something charming in the sound."

[2] 1 Mass. Hist. Coll., vii. 77. The commissioners were, — from Massachusetts, Samuel Welles, John Chandler, Thomas Hutchinson, Oliver Partridge, and John Worthington; from New Hampshire, Theodore Atkinson, Richard Wibird, Meshech Weare, Henry Sherburn, jr.; from Connecticut, William Pitkin, Roger Wolcott, jr., Elisha Williams; Rhode Island, Stephen Hopkins, Martin Howard, jr.; Pennsylvania, John Penn, Richard Peters, Isaac Norris, Benjamin Franklin; Maryland, Benjamin Tasker, Albert Barnes; New York, James Delancy, Joseph Murray, William Johnson, John Chambers, William Smith.

[3] John Adams's Works, ii. 189.

chief, talking eloquently to the Indians in their own language, a decided Mormon in his domestic relations, and wielding so great an influence, that it was said his words made the villages tremble. Benjamin Tasker of Maryland had a high legal reputation. The member who most nearly personified the American was Benjamin Franklin, like Hopkins, a signer of the Declaration of Independence. His discoveries in science had won for him a wide and noble fame; and the press in Europe and America were circulating tributes to his genius.[1] He was one of the two postmaster-generals of the colonies. His unrivalled sagacity, practical good sense, large experience, generous aims, and steady purpose to promote the good of mankind, shed lustre on the congress. This body was the most deserving of respect of any that had convened in America, whether considered in reference to the colonies represented, the character of the members, or the purposes for which it was called.[2] It was compared to one of the ancient Greek conventions, held to support their expiring liberty against the power of the Persian Empire. The speakers were not many; but in the debates some spoke with singular energy and eloquence, and all were imbued with a patriotic spirit.[3]

The representatives of six of the colonies brought with them commissions signed by their respective governors. Massachusetts authorized action to be taken in concert with all or with any of the British colonies, but required adherence to such instructions as the assembly from time to time should give. New Hampshire conferred power to act on all matters relating to the objects of the convention. Connecticut gave authority to take proper measures in pursuance of instructions from the assembly. Rhode Island

[1] The preface to the "Gentleman's Magazine" for 1753 contains verses in which there is a reference to Franklin; and the February number of 1754, of the same magazine, has a tribute addressed to him, signed C. W., Cooper River, South Carolina, Sept. 20, 1753.

[2] Hutchinson's Mass., iii. 21.

[3] 1 Mass. Hist. Coll., vii. 77.

authorized action with the other colonies necessary to carry out the designs of the crown as expressed in the circular of the Earl of Holdernesse. Pennsylvania conferred full power to treat with the Indians; but its commission did not refer to the question of union; and that of Maryland required its delegates to observe the propositions that might be submitted for a general scheme for concert of action, and to report on their character.

The members do not appear to have chosen a presiding officer. The official journal says, that a congress was held by the Honorable James Delancy, lieutenant-governor of New York. When he met with the members, he presided. On the third day of the meeting, Peter Wraxall, clerk of the city of Albany, was chosen secretary; and the governor proposed, that, to avoid disputes about the precedency of the colonies, the commissioners should be named in the order of their situation from north to south. At the first meeting, the governor produced a letter from the Lords of Trade, defining the objects of the convention; and the two sessions of that day were occupied mainly in considering Indian affairs.

The details relative to the treaty with the chiefs are quite voluminous. Messengers had been sent to their castles or villages, asking their attendance; but they did not arrive until the last of the month. The delay was attributed by some to fear and by others to art. At length they came, though in fewer numbers than was expected, when Hendricks, a great Mohawk sachem, apologized for the delay. On the morning of the 29th of June, twenty-four of the commissioners, among them Franklin, met about a hundred and fifty of the chiefs. The governor presided, having two of his council on each side near him, and the members ranged next to these councillors.[1] The proceedings were

[1] 1 Mass. Hist. Coll., vii. 76. This "Review of the Military Operations," &c., was written by an eye-witness, and probably by William Smith, and printed in a pamphlet in London, in 1757. — Coll. New-York Hist. Soc., iii. 361.

conducted with great solemnity. The governor read a long speech, and delivered presents, which were of vast value compared with former gifts, and which pleased the Indians. But they taunted the English for their defenceless condition. "Look at the French," Hendricks said. "They are men; they are fortifying everywhere. But — we are ashamed to say it — you are all like women." The conference was continued several days, and with a satisfactory result. At its close, Hendricks, in expressing the wish that the tree of friendship they had planted might grow to a great height, said, "I will just tell you what a people we were formerly. If any of our enemies arose against us, we had no occasion to lift up our whole hand against them; for our little finger was sufficient. And as we have now made so strong a confederacy, if we are truly earnest therein, we may retrieve the ancient glory of the Five Nations."

While the proceedings relative to the Indians were going on, the congress considered the other great object for which it was called. It first unanimously resolved, that a union of all the colonies was absolutely necessary for their general defence and security. It then appointed a committee to receive all the schemes that had been offered, digest them into one general plan, and report it to the Board. The delegates from each colony selected from their number a member of the committee. It consisted of Hutchinson, Atkinson, Pitkin, Hopkins, Franklin, Tasker, and Smith, — a rare combination of character, intellect, learning, and experience in public affairs. The two political schools were about equally represented in the committee. Hutchinson, soon to be a champion of an arbitrary ministry, and Franklin, soon to be a tribune of the people, were two of the strongest men of their respective parties. They brought to their work eminent ability. Both had large influence in their local assemblies. They recognized the value of union. They saw that a thirst for liberty was the ruling passion of the age, and that a mighty empire was rising in America.

In Hutchinson it was the vision of a clear intellect distrusting the capacity and intelligence of the people. In Franklin it was the insight of a philosopher having faith in human progress, and determined to labor for the liberties of his country.

In the deliberations of the committee, it appeared that the plan which received the most favor was one prepared by Franklin, who gives this account of it: "In our way thither, I projected and drew a plan for the union of all the colonies under one government, so far as might be necessary for defence, and other important general purposes. As we passed through New York, I had there shown my project to Mr. James Alexander and Mr. Kennedy, two gentlemen of great knowledge in public affairs; and, being fortified by their approbation, I ventured to lay it before the congress."[1] Franklin had long been identified with the local government of Pennsylvania. He had, however, given more attention to natural science than to general politics. His idea of having a legislature of only one branch, and his views as to the practicability of an American representation in parliament, were not in accordance with those of his countrymen generally. His plan, and his argument for it,[2] however, show that he grasped the idea of forming a self-sustaining general government, which, while recognizing the inviolability of the local governments, should act on the individual citizen.

The committee, four days after its appointment, reported to the congress "short hints of a scheme" for a union, of which copies were taken by the members. There was a question whether an act of parliament was not necessary to establish such a union. It was held, that charters and commissions of the crown, under which the colonies exercised powers of

[1] Autobiography, Bigelow's edition, 294. Franklin says that the committee reported his plan with a few amendments. I have not met with this report, unless it be the paper entitled "Short Hints," in Sparks's "Works of Franklin," iii. 27.

[2] Sparks's Works of Franklin, iii. 51.

government, gave no authority to form one constitution for the whole; and though it might be said, that, if the king could grant powers of government to each colony separately, he could do the same to them collectively, yet it would be altering powers given by charter to create a new government over the people for any purposes covered by the charter. It was said, that the power of parliament had not been called in question;[1] and on the second of July the congress voted, that the Board proceed to form a union of the colonies, to be established by an act of parliament. Long debates followed on the hints that had been submitted. On the fourth of July, when all the members but the lieutenant-governor were present, the question was discussed in two sessions held in the morning and afternoon. The debate was continued from time to time until the ninth of July, when a plan was agreed upon. Franklin was then desired to make a draught of it. He did not attend the session the next day, — the journal of the Congress says, — being absent by appointment. He reported, on the tenth, a Plan of a Union in a new form. This was undoubtedly the form that was adopted. It was considered, paragraph by paragraph, during the morning session, when all the members were present, and the debate was resumed in the afternoon.

The preamble of this plan states the purpose of making application for an act of parliament, by virtue of which one general government might be formed in America, including all the colonies, within and under which each colony might retain its constitution.

The local constitutions were recognized in several of the provisions. The representatives of the people of each colony, in their own assembly, were to choose, every three years, members to form a Grand Council; the general government was prohibited from impressing men without the consent of the local legislature; any colony, on an emergency,

[1] Hutchinson's Mass., iii. 22.

might defend itself; and the particular military as well as civil establishments in each colony were to remain in their present state, "the general constitution notwithstanding;" with this proviso, however: "except in the particulars wherein a change might be directed" by the contemplated act of parliament.

The union element was embodied in a Grand Council, to meet once a year. It was to have the power to choose a speaker, and was not to be dissolved, prorogued, or continued in session longer than six weeks, without its own consent, or the special command of the crown. It was to be empowered to make treaties with the Indians, regulate trade with them, buy lands of them for the crown, and authorize new settlements; and for these purposes to make laws; to levy duties, imposts, or taxes; to nominate all civil officers who were to act under the constitution, and to approve of all military officers; to appoint a general treasurer, and a special treasurer in each government; and to have a joint voice in the expenditure of the moneys raised; to enlist and pay soldiers and build forts. The laws were not to be repugnant to those of England, but as near as possible to be agreeable to them; and they were to be submitted to the king, and, if not disapproved within three years, to remain in force.[1]

The executive power was to be vested in a president-general, appointed and supported by the crown. He was to nominate military officers; commission all officers; manage, with the advice of the Grand Council, Indian affairs; have a negative on all the acts of the Grand Council; and to carry their acts into execution.

This plan was strenuously opposed by the Connecticut

[1] Franklin (Sparks's Works, iii. 51), in his interesting commentary on his plan, says, that, in empowering "the president-general and grand council" to make laws for laying and collecting general duties and taxes, "it was not intended to interfere with the constitution and government of the particular colonies," which were to be "left to their own laws, and to lay, levy, and apply their own taxes as before."

delegates,[1] who urged, at length, that it would be impracticable for the president and council to defend and provide for a union so large as to extend from Nova Scotia to Georgia; that it would be detrimental for this power to appoint and commission all the military officers of so large a government; that the population of the country was very numerous, and was doubling every twenty-five years, and to unite this growing power under one head might in time be dangerous; that the negative of the president might be ruinous; and that the power of levying taxes was a "very extraordinary thing," and against the rights of Englishmen, which were highly prized by the people, who had a due sense of their dependence on the mother-country, and delighted in obedience to, and admired the protection and privileges of, the laws of England.[2] The plan was also opposed by Lieutenant-governor Delancy, who would have reserved to the colonial governors a negative on the election of representatives to the Grand Council.[3]

On the afternoon of the tenth of July, the congress voted that the commissioners should lay copies of this plan before their respective constituents for their consideration, and that the secretary should transmit a copy of it to each of the colonies which had not sent commissioners, with the view of obtaining such alterations as might be thought necessary;[4] after which it was intended to transmit the plan to England to be perfected. On the eleventh of July the congress

[1] It is remarkable, that Franklin (Sparks's Works, i. 177), Hutchinson (Hist. Mass. iii. 23), members of the convention, and Thomas Pownall (Administration of the Colonies, ed. 1774), who was present, say that the plan was unanimously adopted. Smith, also a member (Hist. New York, ii. 182) says, that every member except Delancy consented to the plan. But the report of the Connecticut members of the House (1 Mass. Soc. Coll., vii. 207-213), expressly says, that the delegates of that colony insisted "at the congress" on their objections, which they thought were never answered or obviated, and that they never gave any consent.

[2] 1 Mass. Hist. Coll., vii. 207-213.

[3] Smith (New York, ii. 183) says Delancy made no great opposition. — Bancroft, iv. 124.

[4] Journal of Proceedings.

adjourned.[1] Only its general results were announced in the journals.[2]

The plan was then earnestly recommended to the people. A citation will give the spirit of the patriotic appeals. One writer in the press said, "I hope and pray the Almighty, that the British colonies on this continent may cease impolitically and ungenerously to consider themselves as distinct States, with narrow, separate, and independent views; ... that they will unite like brother protestants and brother subjects, at least in this critical and important crisis, rouse up the English lion in each other's breasts, ... and thereby

[1] Sparks's Franklin, iii. 24.

[2] I have confined the narrative in the text mainly to matters connected with my theme. Elaborate and interesting papers on the rights of England to the soil, the claims of France, and methods for the general defence, were submitted to the convention, which appear in the "Journal of the Proceedings." This journal has been printed from copies taken to the several governments: in the "Pennsylvania Archives;" in the "New-York Documents," edited by Callaghan and Broadhead; and, excepting the last day's proceedings, in the "Massachusetts Historical Society's Collections," 3d series, vol. v. The Plan of Union is in Pownall's "Administration of the Colonies," ed. 1768, App. iv. In the "American Museum" for February, 1789, the writer of a communication dated "New York, Oct. 28, 1788," says that he was surprised that the Albany Plan "had lain dormant and unnoticed among all the publications on the subject of the new government." This number contains a part of the plan, with accompanying papers, among which is a reprint of Franklin's "Commentary." The April number contains the conclusion, with a note, dated Philadelphia, April 9, 1789, evidently written or dictated by Franklin, containing speculations on what might have taken place if this plan, or something like it, had not been rejected. Compare this with Sparks's Works of Franklin, i. 177, 178.

Thomas Pownall, subsequently governor of Massachusetts, was present at this congress. He submitted to it a paper on American affairs, which was criticised (1 Mass. Hist. Soc. Coll., vii. 87, 88) as loose and undigested, and containing sentiments unintelligible to a North-American understanding. It was printed in New York in February, 1756, and in the "Gentleman's Magazine" for May, 1756.

The "Boston Gazette" of the 23d of July, 1754, has the following: "This day sev'nnight came to town the Hon. Thomas Hutchinson, Esq., judge of probate for this county, and one of the commissioners at the late convention at Albany. We are informed: That the Indians had all left that city in a good temper; but that a much smaller number attended the Interview than heretofore has been usual: That the commissioners from the several governments were unanimously of opinion that a union of the colonies was absolutely necessary in order to defeat the schemes of the French: That a representation of the state of the British interest on this continent as it stands related to the French and Indians has been drawn up and approved of: and that a plan of union has likewise been projected, and will, by the said commissioners, be laid before their respective constituents All the commissioners left Albany on the 12th instant."

secure to themselves and their posterity to the end of time the inestimable blessings of civil and religious liberty, and the uninterrupted possession and settlement of a great country, rich in all the fountains of human felicity. To obtain this happy establishment, without which, I fear, it never will be obtained, may the God of heaven grant success to the plan for a union of the British colonies on the continent of America!"[1]

The policy of union was earnestly recommended to the assemblies by the governors. Dobbs of North Carolina, for instance, portrayed with spirit the progress of the French; urged that that power would never have adopted its grand and romantic scheme for dominion if it had not been prepossessed with the idea that the British colonies were guided by selfish and partial views, were unwilling or incapable of uniting their force, and were like a rope of sand; and he said, "Let us show that we are true sons of Britons, whose ancestors have been famed for defending their valuable religion and liberties."[2] The Albany Plan was reported to the Massachusetts assembly by their delegation to the congress; yet Shirley, impatient of delay, in a message urged action on it, and in private letters strongly advocated the promotion of a union to be established by an act of parliament.[3]

These appeals failed to create a public opinion in favor of the plan. The Connecticut assembly resolved that it tended to subvert their liberties, took measures to watch the action

[1] Boston Gazette, Oct. 1, 1754.

[2] Dobbs's address of Dec. 12, 1754, was printed in the "Gentleman's Magazine" for July, 1755, in which he urged that colony to enter "into a plan of union with all the British colonies for their mutual future defence."

[3] Shirley says, in a letter dated Oct. 21, 1754, to Governor Morris, the newly appointed governor of Pennsylvania, "The best advice I can give you is to lose no time for promoting the plan of a union of the colonies for their mutual defence, to be concerted at home, and established by act of parliament as soon as possible. . . . I am laboring this point *totis viribus*." Shirley said of the Albany Plan, Dec. 24, 1754, "It doth not appear well calculated to strengthen the dependency of the colonies upon the crown."

of the other governments, and strongly opposed its adoption.[1] The New Jersey assembly declared, that it contained things which would affect its constitution in its very vitals, and believed and hoped it would never be countenanced by a British legislature.[2] The Pennsylvania assembly negatived it without a discussion. The Massachusetts assembly gave to it the consideration which the important subject required, but, after long debates, rejected it, and also rejected another plan, submitted by a committee.[3] In brief, the plan was negatived by every assembly before which it was brought, and was denounced in the forum of the people.[4]

The plan was transmitted, by Lieut.-Gov. Delancy, to the Lords of Trade, who laid it before the king with the simple

[1] Trumbull's Hist. Conn., ii. 357. The assembly were desirous "that the government should be lessened, and divided into two districts."

[2] The Address of the House, in Boston Gazette, Nov. 5, 1754. The House says, "We can truly say, we want not arguments to convince us of the absolute necessity of the strictest union among all his majesty's provinces and colonies for the preservation of the whole, and on our part have endeavored to cultivate such a union, by contributing our endeavors in the best manner the circumstances of this colony will admit."

[3] The proceedings of the Massachusetts assembly on the question of a union of the colonies are interesting. It would, however, require too much space to relate them in full. The subject was referred, on the 22d of October, 1754, to a large committee, who reported a new plan for a union, embracing only a part of the colonies. On the 13th of December, the question was assigned for nine o'clock on the following morning, and the members were enjoined to give their attendance. On that day (Dec. 14), "after a large debate, the question was put, Whether the House accept of the General Plan of Union as reported by the commissioners convened at Albany in June last? It was passed in the negative. Sent up for concurrence. The question was then put, Whether the House accept of the Partial Plan of Union reported by the last committee of both Houses appointed on the union? It passed in the negative. Sent up for concurrence." After this rejection of the Partial Plan and the Albany Plan, the House, by a vote of forty-one to thirty-seven, resolved that there ought to be a "general union of his majesty's colonies, except those of Nova Scotia and Georgia." A plan for such a union was reported by a committee. It is in Hutchinson's handwriting. He does not allude to it in his history; nor have I met with any reference to it. It differs materially in some of its provisions from the Albany Plan. It provided, that the Grand Council, in the choice of their speaker, should not be subject to the negative of the president. After debating this plan, the House voted, forty-eight against thirty-one, that the further consideration of it should be suspended until the members could have an opportunity to consult their constituents. This plan will be found in the Appendix.

[4] Hutchinson, iii. 23. It was denounced at a large town-meeting in Boston (1 Mass. Coll., iv. 85) as detrimental to the liberties of the people.

remark, that the scheme was complete in itself.[1] No action was taken on it by the Privy Council. The Lords of Trade were in favor of a plan of union more consonant with English ideas;[2] they were also occupied with the questions of altering the local governments, carrying into effect the acts relating to trade, and a scheme for internal taxation; and they gave little attention to the Albany Plan.

This plan, rejected in America because it had too much of the prerogative and in England because it was too democratic, elicited discussion in the assemblies on the great question of union, and shows the progress of the American mind in political science. It had to solve the difficult problem of framing a general government adequate to provide for the common welfare, and yet keeping inviolate the principle of local self-government. The New-England confederacy secured effectually to each colony its rights; but its board of commissioners to act for the whole was a crude embodiment of the union element. The schemes subsequently proposed in books and letters, contemplated a grand council, or a congress, to devise measures for the general welfare; but left their execution either to the local governments, or, as was the ideal of the party of the prerogative, contemplated a consolidation of the popular functions into a central power, foreign to the genius of the people. The Albany Plan was designed to establish for all America one government, based on the consent of the governed, and limited to general purposes, while it left to the local governments their separate functions. It designed to confer on the representatives of the people the power of making laws acting directly

[1] The letter of the Lords of Trade, dated Oct. 29, 1754, says, "The commissioners having agreed upon a Plan of Union, which, as far as their sense and opinion of it goes, is complete in itself, we shall not presume to make any observations upon it, but transmit it simply for your majesty's consideration." — New-York Col., vi. 920.

[2] The Lords were directed (June 14, 1754) by the king to prepare a plan for general concert by the colonies. On the 5th of July, the Lords wrote to Delancy, that it was the opinion and language of almost every colony that a general union of strength and interest had become absolutely necessary. — New-York Col., vi. 848.

on individuals, and appointing officers to execute them, and yet not to interfere with the execution of the laws operating on the same individuals by the local officers. The authors of this plan intended to erect a public authority as obligatory in its sphere as the local governments were in their spheres. This would have been not a mere league, but a self-sustaining government. The credit of this conception is due to the illustrious Franklin. It was original and American. It was comprehensive and grand. It is not strange that the form devised to carry it out should have been imperfect. The time had not ripened, the way had not been opened, for such a stride in political science as a worthy embodiment of this ideal would have been. It required the discipline and the experience of the succeeding thirty years, the growth of a public opinion for a union, the rise of a sentiment of nationality, the possession of sovereignty, long training of the general mind in politics, and the wisdom of a cluster of the peers of Franklin in intellect, before the conception could be embodied in a worthy form. Divine Providence permitted Franklin to share in this experience, to aid in forming the more perfect Union of the Constitution, and to see his countrymen establish it as the law of the land.[1]

[1] The paper entitled "Reasons and Motives on which the Plan of Union was formed," in Sparks's edition of Franklin's Works (iii. 32), was printed in 1789, in the "American Museum," vol. v., and at its close the following note, evidently by Franklin. It was not copied by Sparks: —

On reflection, it now seems probable, that, if the foregoing plan, or something like it, had been adopted and carried into execution, the subsequent separation of the colonies from the mother-country might not so soon have happened, nor the mischiefs suffered on both sides have occurred, perhaps, during another century. For the colonies, if so united, would have really been, as they then thought themselves, sufficient to their own defence; and, being trusted with it, as by the plan, an army from Britain, for that purpose, would have been unnecessary. The pretences for framing the Stamp Act would then not have existed, nor the other projects for drawing a revenue from America to Britain by acts of parliament, which were the cause of the breach, and attended with such terrible expense of blood and treasure; so that the different parts of the empire might still have remained in peace and union. But the fate of this plan was singular. After many days' thorough discussion of all its parts in congress, it was unanimously agreed to, and copies ordered to be sent to the assembly of each province for concurrence, and one to the ministry in England for the approbation of the crown. The crown disapproved it, as having too much weight in the democratic part of the constitution, and every assembly as having allowed too much to prerogative; so it was totally rejected.

PHILADELPHIA, April 9th, 1789.

The plan contained things which were hateful to the colonists. The reasoning against it, however, of the Connecticut legislators shows the strength of their prejudices and the narrowness of their views rather than defects in the plan. The action of the assemblies ought to be regarded in connection with the prior aggressions on their rights, and with the claims set up for prerogative or for parliament as to their internal affairs, which kept them in a state of torment. The plan reserved to the colonies their local constitutions, except in the particulars in which a change might be made in an act of parliament authorizing the formation of the union. This important exception was not in Franklin's original plan; he does not comment on it in his interesting paper on the reasons and motives for each article; and no one, at a subsequent period, more strenuously opposed submitting the local constitutions to the decisions of parliament than he. The assemblies obeyed a truly American instinct, in declining to subject their free municipal life — their republican customs — to the determination of a body in which their constituents were not represented. Indeed, the people in the late civil war were not truer to an imperative public duty in clinging to the national life, after the battle of Bull Run, than the colonies were in rejecting the manner of obtaining union recommended by the Albany Congress.[1]

Other plans of union at that time were brought forward, and congresses of governors to consult on the general defence continued to be held. In the October following the Albany Congress, Shirley communicated to Franklin, at Boston, the designs of the ministry in relation to union and taxation, which were so totally opposed to his own views as to elicit in reply the well-known remarkable letters, which were so sagacious that they embodied the gist of the Ameri-

[1] The tenacity with which the colonies held on to what they conceived to be their rights and liberties, ought to be viewed in connection with English politics. Smith, in his "Local Self-government" (192 to 210), shows how, from the Revolution of 1688, there was constant violation of this principle.

can argument against the arbitrary policy that was in contemplation by the Lords of Trade. The scheme of union urged by Halifax — despotic, complicated, and impracticable — embraced a permanent revenue;[1] one by Colden contained provisions for an hereditary council of landholders, in imitation of the House of Lords;[2] one by Johnson, a churchman, contemplated a change in the charter governments, uniformity in all the colonies, and this as near as possible like the government of England, though he conceded that the Episcopal Church ought to have no superiority over other denominations.[3] The union question was discussed in pamphlets. One writer proposed to form three unions,— a northern, a middle, and a southern, — on the ground that really there were three distinct countries.[4] These plans, if of little political significance, show that attention continued to be given to the subject. It was a general feeling that the colonies ought to be united; but there was no public opinion in favor of any of the schemes that had been proposed. Nor was there among them a fraternal sentiment, on which to base a union.

It had long been thought that it would be impracticable to unite the colonies into one political power. Their rivalries in trade and disputes about boundaries were severe. There was then war going on between Carolina and Georgia concerning the navigation of the Savannah.[5] These antagonisms were early seen. Sir William Keith held it to be morally impossible that any dangerous union could be formed among them.[6] Jeremiah Dummer said that they were so distinct from one another in their forms of government, their religion, emulations of trade, and affections, that

[1] Bancroft, iv. 166. [2] Ibid., iv. 272.

[3] In a paper dated King's College, New York, Jan. 30, 1760, and sent to Pitt, Halifax, and the Archbishop of Canterbury. — New-York Col., vii. 438.

[4] Contest in America, 1757, 40.

[5] Gentleman's Magazine, 1756, 20. The people of Georgia had seized several vessels belonging to Carolina, and the people of the latter had armed their vessels.

[6] Memorial, 1720: "Every advantage that is lost or neglected by one colony is immediately picked up by another." Keith, in this paper, suggested a stamp tax.

they never could be supposed to unite.[1] Franklin ascribed the disunion feeling to their jealousy of each other, which, he said, was so great as to prevent union when the enemy was burning their villages and murdering their people. Burnaby wrote that fire and water were not more heterogeneous than the different colonies, and that union seemed almost impossible.[2] The "London Chronicle," in reply to the remark that the colonies could not be prevented from rising to independence and empire, urged that they had little intercourse with and less friendship for one another; that their hereditary rivalries and dislikes would prevent a general combination for revolt, while any partial endeavor would be sure to prove unsuccessful; and that while there were British governors, civil officers, a naval and military force among them, there could be no reasonable apprehension of a revolt, were the colonies better peopled than they could possibly be for five hundred years.[3] This line of citation might easily be extended. It would only be cumulative testimony, showing that the diversity which was paramount was looked upon as permanent.

Such was the question of union when the intelligence went through the colonies of the surrender of Canada to the British arms. It was heralded as one of the grandest events known in English annals, and its magnitude was not overrated. The colonists, however, were naturally occupied with its bearing on themselves. A burden was lifted from their hearts. A fountain of misery was sealed up for ever. Henceforth but trembling hands could wield against them the tomahawk. Henceforth their race was to control

[1] A Defence of the New-England Charters, 1721, 73.

[2] Travels in 1759–60, 159. "Nothing can exceed the jealousy and emulation which they possess in regard to each other. The inhabitants of Pennsylvania and New York have an inexhaustible source of animosity in their jealousy for the trade of the Jerseys. Massachusetts Bay and Rhode Island are not less interested in that of Connecticut. . . . Were they left to themselves, there would soon be a civil war from one end of the continent to the other." — 160.

[3] London Chronicle, May 30, 1760. This piece, signed "Simplicius," was copied into the American newspapers.

America. They then had visions of future prosperity, peace, and security, — a higher sense of the grandeur of the colonies. The towns were brilliant with illuminations. The press was laden with exultation. The pulpit was fervent with gratitude. The assemblies were extravagant with expressions of loyalty.[1] The general joy was irrepressible.

The liberty men vied with the party of the prerogative in pæans to the British Constitution and flag. This enthusiasm sustains a remark of Franklin, that the colonists loved the nation more than they loved each other. The royal officials, however, represented that the profession of devotion to the crown was sheer hypocrisy; that the colonies intended to cast off their dependence on the mother-country. This was said throughout the whole period reviewed in this chapter. The charge was repelled by the colonists as an imputation on their honor. Dummer, hearing it in the mouths of people of all conditions and qualities in London, confronted it by saying, "It would not be more absurd to place two of his majesty's beef-eaters to watch an infant in the cradle, that it do not rise to cut its father's throat, than to guard these weak infant colonies to prevent their shaking off the British yoke."[2] Franklin assured Pratt that no such idea as casting off their dependence was entertained by the

[1] The Massachusetts Assembly, August, 1760, in dwelling on the "inexpressible joy of the present times," said of the British Constitution, "Now this glorious constitution exceeds itself; it raises new ideas for which no language has provided words, because never known before. Contradictions are become almost consistent, clamorous faction is silent, morose envy good-natured, by the divine blessing on the councils and arms of our dread sovereign in every quarter of the world. He is become the scourge of tyrants, the hopes of the oppressed; yet in the midst of victories prophesying peace."

[2] Defence of the New-England Charters, 72. Hutchinson (Hist. Mass., 3d ed., ii. 319) says this remark was in a brief used before the council. The idea that the colonies aimed at independence was alluded to in parliament, in the debates on the Sugar Bill. A petition from Rhode Island alleged that duties would be against their charter. Sir William Yonge, in 1733, said, "This, I must say, is something very extraordinary, and, in my opinion, looks mighty like aiming at an independency, and disclaiming the authority and jurisdiction of this House." — Cobbet's Parliamentary History, viii. 1261, where it is printed "very unlike;" but the speech is in "Massachusetts Gazette," Feb. 14, 1765.

Americans.[1] Still the allegation was deliberately made by Chalmers, that, from the epoch of the Revolution and throughout every reign, it was the settled policy of the colonies to acquire independence; and this has been repeated by a recent British writer. Neither supports the statement by proofs. It may be confidently affirmed, that no citations from private letters, no consultations for such an object by any political leaders, no resolves of any public body, no act of any colonial assembly, can be adduced to sustain such a charge. The only evidence of any such design is an impression made on the minds of royal officials by the zealous assertion on the part of the colonists of what they regarded as their rights; and this is too vague for history.[2]

While there was neither an aim nor even a desire for

[1] Gordon (i. 136) says this assurance was made before 1760. Franklin arrived in London, July 27, 1757.

[2] The statement of Chalmers (Opinions of Eminent Lawyers, Preface) is, "that there lay among documents in the Board of Trade and Paper Office the most satisfactory proofs from the epoch of the Revolution of 1688, throughout every reign and during every administration, of the settled purpose of the colonies to acquire direct independence." This subject was examined by Sparks, in No. X. of the Appendix of Vol. II. of the "Writings of Washington" (1834). It is referred to in the preface to the American edition of Chalmers's "Revolt of the Colonies," printed in 1845, where it is said that the proofs consisted of the complaints of the royal governors. The charge is repeated by Viscount Bury in 1865. He says, "A careful examination of the history of the colonies will show, that they, with few exceptions, formed, soon after this time (accession of William III.), the resolution of becoming independent of the mother-country." — Exodus of the Western Nations, vol. i. 395. And he states (p. 412), "The desire of the colonies for independence existed from their very foundation." He adduces no proofs to sustain this statement. Against the opinion of Chalmers and Bury may be set the remark of Hutchinson (Hist. Mass., iii. 69), "An empire, separate or distinct from Britain, no man then (1758) alive expected or desired to see."

The idea that the colonies would rise into independence and empire was common at the period of 1760. It was met in a candid manner by the British press. A communication is copied into the "Boston News Letter" of Sept. 17, 1761, from a London journal. The writer says, "I know it has long been a boggle to some, that our colonies, finding no enemies on their backs, would set up for themselves . . . how weakly founded I appeal to common sense. If we have a mind to yoke them, make slaves of them, I grant it such aids are necessary for the purpose; but use them as fellow Britons, and they cannot, will not, refuse to acquiesce in what is just and right. I defy the most cunning among us to prove that they have ever offered to resist where they have not had just cause, and which on the same occasion would not have had the same effect on the people of England."

independence on the part of the colonists, yet the increase of population and wealth, the working of ideas, the quiet unfolding of Providence, elicited much reasoning and speculation on the tendency of events. This unwonted spectacle of the progress of a free people attracted more and more the attention of men of thought, and elicited a line of speculation respecting the future of America. Berkeley, in a prophetic strain, sung of another golden age which should produce subjects worthy of fame: —

> "Westward the course of empire takes its way,
> The four first acts already past,
> A fifth shall close the drama with the day;
> Time's noblest offspring is the last." [1]

Dummer heard great men say that the colonists, in the course of some years, if not curbed in time, would declare themselves a free State.[2] Kalm was told by Americans and by Englishmen, that in thirty or fifty years the colonies would be able to form a State by themselves entirely independent.[3] Turgot said, in a public discourse, that, when America was able to take care of itself, it would do what Carthage did.[4] John Adams mused on what would follow the expulsion of the turbulent Gallics, and saw a great seat of empire here that would become more populous than England.[5] Weare judged that the colonies, ripened by a very few more years must, agreeably to Nature's ordinary laws, drop off from that stock whence they originally sprung.[6] Franklin predicted that, in less than a century, the Mississippi Valley would become a populous and powerful dominion.[7] Ludeman averred that the planets were the silent patrons of lovely America, and that her independence would be a steady counterbalance to the fierce commotions of the old

[1] Bishop Berkeley's well-known verses were written about 1726.
[2] Defence of New-England Charters, 72.
[3] Kalm's Travels in North America, i. 264, printed in 1748.
[4] 1750. Bancroft, iv. 66.
[5] 1755. Works, i. 23.
[6] Before 1759. Mass. Hist. Coll., i. 76.
[7] 1756. Sparks's Works of Franklin, iii. 70.

world.[1] It was a tradition that the Pilgrims who founded Plymouth inscribed on a rock the couplet, —

> "The eastern nations sink, their glory ends,
> And empire rises where the sun descends."[2]

An Italian poet, inspired by the presence of Benjamin West, sung that the spirit of venerable Rome, immortal and undecayed, was spreading towards the new world.[3] Burnaby relates that an idea had entered into the minds of the generality of mankind, that empire was travelling westward.[4] The language of the press was often elevating and prophetic as it portrayed what a great country, rich in all the fountains of human felicity, would be with union and a free constitution.[5]

America, before which a grand future was opening, was delineated as a tract having sixteen hundred miles of sea-coast, producing all the conveniences and necessaries of life, and surpassed in population in Europe by only three powers, — the German Empire, France, and England. America, it was said, because of her trade and the great quantity of manufactures consumed in it, had become the fountain of the riches of the mother-country. It was pictured as having hundreds of thriving towns, of which Boston was as large and better built than Bristol, or, indeed, any city in England except London; New York had abundant markets, good wharves, a large and growing commerce; five thousand houses of brick and stone, and a town house very little inferior to Guild-Hall; Philadelphia was as fine a city of its size as any on the globe, had a market-place equal to any in Europe, and an Academy in which the youth had made surprising progress; Charleston, with a genteel and a refined society, was as large as Gloucester.[6] The population of a million and a half was

[1] 1757. Farmer and Moore's Collections, i. 127.
[2] John Adams's Works, ix. 599.
[3] Galt's Life of West, i. 117.
[4] Travels, 155.
[5] See above, p. 146.
[6] These statements may be seen in an elaborate paper describing the colonies in the "Gentleman's Magazine" of 1755.

doubling in twenty-five, some said, twenty years. In verses referring to the contributions of the learned from all climes to the cause of science, it was written, —

> " —— mild America prevails;
> The maid new paths in science tries,
> New gifts her daring toil supplies;
> She gordian knots of art unbinds;
> The Thunder's secret source she finds;
> With rival power her lightnings fly,
> Her skill disarms the frowning sky;
> For this the minted gold she claims,
> Ordained the meed of generous aims." [1]

While America had thus won laurels in the field of science, it was said of her, that she had created an asylum for liberty. This was a passion with the race who had subdued the wilderness. It was the spring of their fidelity, intelligence, and zeal. A love of it was continually expressed in their utterances. "Liberty," are Franklin's words,[2] "thrives best in the woods. America best cultivates what Germany brought forth." A paper,[3] analyzing free principles and enjoining fidelity to them, circulated in the journals, closing with Milton's words: —

> "This is true liberty, when free-born men,
> Having to advise the public, may speak free,
> Which he who can and will, deserves high praise;
> Who neither can nor will may hold his peace:
> What can be juster in a State than this?"

[1] Gentleman's Magazine, Preface, 1753. It has this note: "Benjamin Franklin, Esq., of Philadelphia, obtained the Royal Society's medal for his amazing discoveries in electricity."

[2] In 1759. Sparks's Works, iii. 114. [3] Independent Advertiser, 1749.

CHAPTER V.

HOW THE ASSERTION BY PARLIAMENT OF A RIGHT TO TAX THE COLONIES BY THE STAMP ACT EVOKED A SENTIMENT OF UNION AND OCCASIONED A GENERAL CONGRESS.

1760 TO 1766.

THE rejection of the Albany Plan proposing a general government for all America was not caused by a low estimate of the value of union; but was occasioned by a state of things which precluded its adoption, or even the formation of a public opinion in its favor. The subject was soon overlaid by events of such magnitude as to create an epoch in history. At that period, the ministry of George III. decided on a policy with regard to America more in harmony with English ideas and objects than with wisdom and justice. This policy, so far as it was developed in the Stamp Act, was an assertion by parliament of the right to tax the colonies by a body in which they were not represented; and the attempt to execute this act evoked out of the prevalent diversity a sentiment of union, and called forth a congress for a redress of grievances.

The congress was held during the period of the American Revolution. This was a grand historic drama, in which George III. spoke the prologue, when he announced the purpose of taxing America; and Washington gave the epilogue, when he took the oath as the chief-magistrate of a free people. The movement, viewed in its completeness, may be said to have been a single step forward, which it required thirty years to take, and in which the British subjects of thirteen colonies, formed into communities under authority derived from the crown, advanced to the position

of citizens of thirteen independent States, organized on the basis of the sovereignty of the people, and united into a nation under a republican form of government. The uninterrupted display of political wisdom in the progress of this work, its achievement under the banner of law and justice,[1] the crowning triumph of the Federal Constitution with the power of self-preservation, elicited from Lord Brougham the judgment that this revolution is the most important political event in the history of our species.[2] It was a growth. It shows the process of evolution. Washington, a type of the wonderful public virtue of his time, recognized the nature of this growth, as is evident from these memorable words in his inaugural address: "No people can be bound to acknowledge and adore the invisible hand which conducts the affairs of men more than the people of the United States. Every step by which they have advanced to the character of an independent nation seems to have been distinguished by some token of providential agency."

The thirteen colonies, at the commencement of the Revolution, according to the rate of their increase, contained a population of about two millions. They were distinct communities. It is no more than simple justice to the founders of the republic to keep in mind, that these communities, each having a local life peculiar in some respects to itself, presented, not merely the aspect of diversity and a want of fraternity, but often that of antagonism to each other.[3]

[1] Guizot. The Causes of the Success of the English Revolution, 1640–1688, 130.

[2] Lord Brougham, in his "Political Philosophy" (vol. iii 329), says of the colonies, "After a series of extraordinary successes, . . . and an uninterrupted display of political wisdom as well as firmness and moderation, they finally threw off the yoke of the mother-country, . . . winning for themselves a new constitution upon the Federal plan, and of the republican form. This is perhaps the most important event in the history of our species."

[3] Lord Mahon (Hist. England, v. 77) has a candid strain of remark on this point of diversity, as he mentions the rivalries and the difficulty of concert and union. He says, "It is a difficulty which should ever be borne in mind by every candid historian of the revolutionary war, as tending to enhance the success of the Americans when they succeeded, and to excuse in some degree their failure when they failed."

Whatever Americanism there was did not appear in the form of unionism, so long as the sentiment of country or of nationality centred in the British Empire. The traditionary affection for England found expression when the Peace of Paris was announced. By that peace, England retained half a continent as the monument of her victories.[1] She was exalted high among the nations. Her power and empire seemed above all ancient and above all modern fame.[2] "We in America," James Otis exclaimed, "have abundant reason to rejoice. The heathen are driven out, and the Canadians conquered. The British dominion now extends from sea to sea, and from the great rivers to the end of the earth. Liberty and knowledge, civil and religious, will be co-extended, improved, and preserved to the latest posterity." He reiterated the eulogy of the colonial age on the British Constitution; he claimed that every British subject in America was entitled to the essential privileges of Britons; he extolled the union between Great Britain and her plantations; and he said, "What God in his providence has united, let no man dare attempt to pull asunder."[3] This undoubtedly expressed the feeling of Americans. The idea that the people of England and the colonies were fellow-subjects, co-equals in political rights under the British Constitution, was common in America. It pervades the utterances of the patriots. Jefferson embodied the sentiment as he wrote the declaration that announced the separation of the people of the colonies from the people of England: "We might have been a free and a great people together."[4]

Such is a glance at America when George III. began his memorable reign. It is common for British writers to lay at the door of the king and his advisers the responsibility

[1] Bancroft, iv. 78. [2] Smyth's Lectures on Modern History, ii. 348.

[3] "Post Boy," March 21, 1763. — Otis delivered this speech on being chosen moderator of the first town-meeting held in Boston after the intelligence of the Treaty of 1763 was received.

[4] Original Draft of the Declaration of Independence.

for what occurred. He is characterized as having been amiable in private life, but with a narrow understanding which culture had not enlarged, and an obstinate disposition which no education could have humanized; and it is said, that the instant his prerogative was concerned, or his will was thwarted, the most unbending pride and calculating coldness took possession of his breast, and swayed it by turns.[1] Lord Bute, also, his early adviser, is described as of a cold heart, and haughty ways, and thoroughly tory in his affinities. But however just may be the delineations of these actors and of others, the springs of the great events that soon occurred lay deeper than personal character. They grew out of the ideas of the age. Their roots were in the condition of society. The king was an exponent of the feudalism that still lingered, and which was absolutely irreconcilable with institutions in America that tended more and more to a realization of freedom and equality.

The acquisition of Canada, of the valley of the Mississippi, and of Florida, vastly increased the consequence of America: it became the great subject for consideration, and seemed to require a new policy. The men in power regarded England as the head and heart of the whole empire, as omnipotent in the matter of government; and they aimed to make every other part of the empire "the mere instrument or conduit of conveying nourishment and vigor" to the head.[2] A policy based substantially on this idea had long been urged by the Lords of Trade. It amounted to the construction of a new colonial map. It embraced an alteration of territorial boundaries, a remodelling of the local constitutions, an abridgment of popular power, and an introduction of the aristocratic or hereditary element. It contemplated, in fact, the moulding of America into uniformity with England. It included an execution of the Navigation Act, which had never been enforced, of laws of trade which had

[1] Brougham's Statesmen of the Times of George II., 1, 2.

[2] Extra-official State Papers, 32, written by William Knox.

remained dead letters on the statute-book, the collection of a revenue, and the establishment of a standing army. The ministry of the Earl of Bute, based on prerogative and power, decided in favor of this policy, and successive administrations endeavored to carry it out in part or in the whole.[1]

The measures embodying this scheme were not adopted at once. Its earliest manifestation was in the shape of instructions to the several officers, directing them to execute the acts of trade; and the application of one of them to the superior court of Massachusetts for "a writ of assistance," or an authority to search any house for merchandise liable to duty, occasioned the famous argument of James Otis against granting the writ. The orders issued after the Peace of Paris, directing an execution of the Sugar Act, the Navigation Act, and the arbitrary laws of trade created great alarm in the colonies.[2] This was protested against by the community generally. It was suggested that the merchants in the colonies should hold meetings, choose committees to memorialize the general assemblies to act on the subject of the Sugar Act, and that these committees should open a correspondence with each other, and thus endeavor "to promote a union or a coalition of all their

[1] Bancroft has traced the origin of this policy with great thoroughness, especially in chapters v., vii., and ix. of vol. v. See the valuable note, p. 83, on the alterations proposed in the local governments.

[2] This subject has been so often presented, that it would be following a beaten track to relate the details of its adoption. I subjoin a few dates and facts. The card of Barrons, the collector, giving notice of a determination to break up illicit trade, is dated Oct. 27, 1760. The argument of James Otis on writs of assistance was made in November, 1761. There is comparatively little political matter in the journals of 1762. A letter of the Lords of Trade, dated Oct. 11, 1763, signed "R. Bacon, John Yorke, Hillsborough, Soame Jenyns," enjoined the governors to make "the suppression of the clandestine trade," "in the strictest manner the object of their immediate care." Admiral Colvill, in a letter dated Romney, Halifax Harbor, Oct. 22, 1763, gave the governor of Rhode Island notice that the "Squirril" would be stationed at Newport to execute the revenue acts; and the newspapers of that period contain accounts of the arrival of ships of war at different ports for the same purpose.

councils;"[1] an idea carried out nine years later in the celebrated organization of committees of correspondence. This suggestion met with favor. The merchants of several towns in Massachusetts, New York, and Rhode Island held meetings, corresponded with each other, and adopted memorials to the assemblies; and representations were sent to England against the Sugar Act. All this proved of no avail. The act, about to expire, was renewed and made more obnoxious, and other duties were imposed.

Meantime reports multiplied that the home government was devising a system of "inland taxation," that the method was to be stamp tax, and that the internal police of the colonies was to be altered.[2] Charles Townshend was advanced to the place of First Lord of Trade. He was as zealous for an alteration of the local governments as when he first became a member of this Board. The Chancellor of the Exchequer, George Grenville, declined to bring for-

[1] The issues of the "Boston Evening Post" of Nov. 21 and 28, 1763, contain an elaborate paper, occupying seven columns, treating of "the great commotion the maritime towns are thrown into by the present juncture of affairs." This piece says, "The Sugar Act has from its first publication (1733) been adjudged so unnatural, that hardly any attempts have been made to carry it into execution." The writer recommended the merchants of Boston to hold a general meeting, and choose a committee to write to every maritime town in the province, advising the like measure; and "that a grand committee" prepare a remonstrance to the general court, asking action in favor of an abolition of the duty on foreign sugar and molasses; also that this committee open a correspondence with the principal merchants of the other colonies. The "Boston Gazette" of Jan. 16, 1764, says that the merchants were about transmitting their proceedings to several other governments. The remonstrance of the Rhode-Island colony to the Lords of Trade against the Sugar Act is dated Jan. 24, 1764; and their agent was directed to present it, provided any three of the agents of the other colonies would unite with him in the same. The "Boston Post Boy" of Feb. 13, 1764, has an account of a meeting of the merchants of New York, held at Mr. Burn's Long Room, who appointed a committee to prepare a memorial to the legislature.

[2] The following paragraph was circulated in the newspapers. It is in the "Boston Post Boy," Aug. 8, 1763, and the "Gazette," Aug. 22: —

"Charleston, S.C., July 2. — A report prevails that there are letters in town from London of a late date, advising that the parliament of Great Britain would soon take into their consideration the police of the several American governments dependent on the mother-country; and by act establish a form that would effectually obviate all the inconveniences which hath arisen or might arise from imperfections in either, and oblige them to be unanimous in all points tending to their general good."

ward this part of the Bute policy, though fully resolved on the measure of taxation. On the 9th of March, 1764, he read in the House of Commons a series of resolutions declaring the intention of the government to raise a revenue in America by a duty on stamped paper; announcing, however, that final action on the question would be delayed, with the view of allowing the colonists an opportunity of suggesting other modes of laying a tax. The king, on proroguing parliament, on the 19th of April, gave a hearty approval to what he characterized as "the wise regulations which had been established to augment the public revenues, to unite the interests of the most distant possessions of the crown, and to encourage and secure their commerce with Great Britain." What a commentary on this sentence were the events that occurred eleven years later, on the anniversary of the delivery of this speech!

The Declaratory Resolves, the heralds of the famous Stamp Act, caused great sensation in the colonies. The American mind was soon occupied with the profound questions of government, natural rights, and constitutional law. As the discussion went on in the public meeting, the press, and the general assemblies, the people became divided in sentiment. The opposers of the measures of the administration were termed Whigs, Patriots, and Sons of Liberty; and the supporters of the administration were called Loyalists, Tories, and Friends of Government. Each party could point to men of learning, talents, and integrity, as actors or sympathizers, who believed in the justice of certain leading principles and objects, and sought by joint endeavor to promote them; and each party had to endure the evils inflicted on the cause by its own selfish, unscrupulous, rash, and violent members. Both sides claimed to act under the British Constitution, and to be loyal to the crown. Both regarded with pride their connection with the mother-country; nor did the Whigs, until after hostilities commenced, aim at a dissolution of this connection.

The Whigs, traced by the lineage of principles, had an ancestry in Buchanan and Languet, in Milton, Locke, and Sidney, or the political school whose utterances are inspired and imbued with the Christian idea of man.[1] Their leading principle was republicanism as it was embodied in the free institutions of the colonies. The sentiment of their advocates on freedom and equality shows that they instinctively grasped the principle which has most thoroughly leavened modern opinion, and promises to modify most deeply the constitution of society and the politics of states.[2] Their platform was summed up in the Declaration of Independence, and became the American theory of government. Most of the men who figured in the grand political centre of the congress that adopted this measure, appear as prominent Whigs in the action of their respective localities during the stages which led to it; and this remark is applicable to the members of the convention that framed the Federal Constitution. In order to understand a revolution, it is necessary to consider it at its origin and at its termination.[3] The Whigs, at the origin of this movement, were in a minority in some of the colonies. When they organized into a party, it had powerful opponents in them all; but it grew in numbers until it embraced substantially the whole people. This, therefore, was the national party. To it posterity are indebted for the mighty historic influence of American Union.

The Tories had for their leading principle the supremacy of law, and for their leading object continual dependence on England. Their chief men in each colony were most of the

[1] See above, p. 9. [2] Maine's Ancient Law, 91, 92.

[3] Guizot remarks, "In order properly to understand a revolution, we must consider it at its origin and termination, — in the earliest plans which it puts forth and in the definite results which it attains. In these its true character is revealed; by these we may judge what were the real thoughts and wishes of the people among whom it took place. All that occurs between these two periods is more or less factitious, transitory, and deceptive. The stream winds and wanders in its course; two points alone, its source and its mouth, determine its direction. . . . During the course of a revolution, parties are formed and transformed. . . . That is really the national party which appears at the origin and termination." — Monk's Contemporaries, 1.

circle of officials appointed by the crown, and many persons of wealth and high social position.[1] They were numerous in every colony, and had seven or eight journals in their interest. It is not easy to generalize accurately as to them. Some of the royal governors sent from England were imbued with high-toned Tory ideas, and held the self-government that had grown up as equivalent to mob-law; while Americans who took this side deplored the adoption of some of the ministerial measures, though they held that submission to them was due to the loyalty which they owed to the sovereign and the reverence which was due to parliament. Hence they gradually became defenders of arbitrary power.

At the date of the passage of the Declaratory Resolves, the Whigs were not united into a party; and eight years elapsed before the celebrated organization of committees of correspondence.

The intelligence of the intention to impose a direct internal tax on the colonies was soon followed by important action. A writer remarks, that "the American people entered at once into one vast arena for the purpose of mutual defence and national concert."[2] It is more precise to say, that the portion of the people, soon to be known as Sons of Liberty, felt alike grieved at the contemplated aggression on the custom of self-taxation, which was held as guarantied by the British Constitution. This is evinced in independent and spontaneous utterances in various colonies.[3]

[1] Hutchinson (Hist. Mass., iii. 103) says, that "the terms Whig and Tory had never been much used in America," but that "all on a sudden the officers of the crown, and such as were for keeping up their authority, were branded with the name of Tories." This appears under the date of 1768.

[2] Burk's Hist. Virginia, iii. 292.

[3] In the "Boston Gazette" of May 14, Nov. Anglicanus comments severely on the proposed tax, saying, "Have we ever yet forfeited our freedom? Would it be just to put us on the footing of conquered slaves?" and proposes that "a remonstrance should be sent home," showing how this scheme would affect the civil constitution as well as trade. In the "New-York Gazette," May 24, it is said, "If the colonist is taxed without his consent, he will perhaps seek a change." And Richard Henry Lee, May 31, was even more decided. — Bancroft, v. 194.

The earliest organized action[1] on the subject was taken at Boston. At its annual meeting, held on the 24th of May, the town expressed its views by instructing its representatives respecting their course in the next general court, in a paper prepared and moved by Samuel Adams. He was nearly forty-two years of age. He was a graduate from Harvard College, and had been a small trader and a collector of taxes. He, however, allowed his genius its native bent; and by talk with the townsmen, and by contributions to the journals, he had acquired a wide reputation for knowledge of political questions. He was a genuine lover of liberty, a believer in the power of truth, justice, and right; had faith in God and in the capacity of the Americans for self-government; and drew inspiration from the idea that he was advocating the cause of humanity. If the elements of his character were such that he was called the last of the Puritans, his political views were ever broad and comprehensive; and no selfishness marred the service which he sought to render his country. He averred that he was no leveller, and shunned the extremes that bring obloquy on a good cause; but he was an elevator of his race because he labored to promote education and Christianity as the instrumentalities of progress. He was passionate in his attachment to his native town and province and to their local rights; but he looked upon them as virtually members of one political body composed of all the colonies,[2] and he held that their union would be their salvation. So simple was

[1] The meeting was called for the 15th, and adjourned to the 24th. The following shows the work of "The Caucas." On this word, see "Siege of Boston," 80, and "Life of Warren," 50. From "Boston Evening Post," May 14, 1764: —

To the Freeholders, &c., — Modesty preventing a personal application (customary in other places) for your interest to elect particular persons to be your representatives; we therefore request your votes for those gentlemen who have steadily adhered to your interest in times past, especially in the affair of Trade, by sending timely instructions, requested by our agent, relative to Acts of Trade late pending in Parliament.

Your humble servants, THE CAUCAS.

[2] This is his language: "The colonies form one political body, of which each is a member." — Wells's Life of Adams, i. 198.

he in his private life, and so consistent in his political course, that he was a personation of the democratic principle. His wise and timely action in this town-meeting was the beginning of a long, sagacious, and noble political career.

The Instructions enjoin the representatives to maintain the invaluable rights held under the charter, and those independent of the charter, enjoyed "as free-born subjects of Great Britain;" to maintain the dignity of a free assembly; and to endeavor to have the agent of the colony in London instructed, that, at that critical juncture, while he set forth their loyalty, their dependence on Great Britain, and their obedience to necessary regulations of trade, he should remonstrate against the proposed scheme of taxation as annihilating the charter right to govern and tax, and as striking at privileges held in common with fellow-subjects who were natives of Britain; and they close with the following words: "As his majesty's other Northern American colonies are embarked with us in this most important bottom, we further desire you to use your endeavors, that their weight may be added to that of this province; that, by the united applications of all who are aggrieved, all may happily obtain redress."[1] In this earliest protest of a public meeting against the Stamp Act is the proposition for united effort.

The General Court met six days after these instructions were adopted. James Otis was one of the members from Boston, and had long been the pioneer of its patriots. He had repeatedly been chosen a representative since the delivery of the speech on writs of assistance, had increased his popularity by a pamphlet which vindicated the natural rights and constitutional liberties of the people, and was then at the height of his powers and influence. In pursuance of the

[1] This paper was printed in the "Boston Gazette" of May 28 and the "Boston Post Boy," and in the "Massachusetts Gazette" of May 31. It was also printed by Otis in his "Rights of the Colonies." The original (Wells's Samuel Adams, i. 46) is among Adams's papers and in his handwriting.

instructions of the town, he prepared a memorial on the proposed Stamp Act and the Sugar Act, in which he contended that the authority of parliament was circumscribed by certain bounds; that acts which went beyond these bounds were those of power without right, and consequently void; and that as British subjects the people had the right to make the local laws and to tax themselves.[1] This paper was ordered to be sent to the agent in London, with an elaborate letter, instructing him to remonstrate against the proposed Stamp Act, and to urge a repeal of the Sugar Act. A committee was then appointed to acquaint the other governments with these instructions, and in the name and behalf of the House to "desire the several assemblies on this continent to join with them in the same measures."[2] Thus the first effect of the Declaratory Resolves was a proposition brought before all the American assemblies for joint action.

The Boston Instructions, widely circulated in the journals,[3] were soon followed by the inspiring pamphlet of Otis, entitled the "Rights of the British Colonies asserted and proved," in which he argued, that, in theory, civil government is of God, and the original possessors of power were the whole people; but that, in fact, authority was em-

[1] The General Court met on the 30th of May, 1764. It is said in the Journals of the House, that, on the 8th of June, "The rights of the colonies in general, and of the Province of Massachusetts Bay in particular, briefly stated, with remarks on the Sugar Act," were read; and that, on the 12th, this was read again. On the 13th, it was adopted. Gordon (i. 151) has confounded this brief memorial with the pamphlet of Otis, which, he says, "was read twice over in the House" within four days; and he has been followed by others. The memorial was printed in this pamphlet.

[2] June 13, 1764. — Ordered that Mr. Otis, Mr. Thacher, Mr. Cushing, Captain Sheafe, and Mr. Gray be a committee, in the recess of the court, to write to the other governments, to acquaint them with the Instructions this day voted to be sent to the agent of the province, directing him to use his endeavors to obtain a repeal of the Sugar Act, and to exert himself to prevent a stamp act, or any other impositions and taxes upon this and the other American provinces; and that the said committee, in the name and behalf of this House, desire the several assemblies on this continent to join with them in the same measures. — Journal of House of Rep., 77. This resolve was not printed in the newspapers.

[3] The Boston Instructions were printed in the "Boston Gazette" and in other journals of that period. See p. 168.

bodied in the British Constitution; and that by this the colonies enjoyed the right, in their subordinate local legislatures, of governing and taxing themselves. He cited Locke on the ends of government. He held that there could be no prescription old enough to supersede the law of nature and the grant of God Almighty, who had given all men a right to be free; that nothing but life and liberty were hereditable; that, in solving practically the grand political problem, the first and simple principle must be equality and the power of the whole.[1] These views of the Whigs were met by their opponents, by averring, that, however excellent "the power of the people may seem in theory, it had always proved mischievous in fact;" that in every age and country it had been impossible to combine the passions of the multitude so as to produce order; that the source of all the evils was the local governments, which gave too much power to the people and too little to the crown; that the remedy was "a general reformation of the colonies" by an act of parliament; that if this were not done in the present reign, it might be attempted by a king with the spirit of James II.; and "his single order, with a regiment of dragoons, would dissolve all the charters in his dominions."[2]

While this discussion was going on in the press, the Massachusetts committee of correspondence sent a circular

[1] This pamphlet was advertised in the "Boston Gazette" of July 23. It was reprinted in London by Almon; and in the "Gazette" of April 8, 1765, is the following, copied from a London paper: "As the ministry propose to tax the Americans, this excellent treatise, which was lately published in the colonies and universally approved of there, is highly necessary for the perusal of the members of both Houses, and of such who choose to make themselves masters of an argument so little understood, but of so great consequence to every British subject and lover of constitutional liberty."

[2] The paper from which the sentences in the text are quoted was printed in the "Massachusetts Gazette" of May 31, occupying a whole side of the issue. It was very sharply and elaborately replied to in the "Boston Gazette" of June 11, 1764. Its tone may be seen in the following: "Is it the fault or fortune of mankind that every little fellow, the instant he rises above that natural equality in which God has placed all men, begins to think his species a race of beings below his notice, but to fleece and impoverish?"

to the other assemblies, proposing harmonious action. The Rhode Island assembly chose a similar committee, and its chairman was Stephen Hopkins, the governor, who was making a noble record by his steady zeal and intelligent service. This committee addressed an excellent letter to the Pennsylvania assembly, in which it is urged, that, if the plan to tax the colonies were carried out, it would leave them nothing they could call their own; and it is suggested, that, if all the colonies would enter with spirit into a defence of their liberties, if their sentiments should be collected, and their agents be directed to use this combined expression of opinion there, it might produce the desired result. The North-Carolina assembly chose a committee to express their concurrence with the views of the Massachusetts circular.[1] The New-York assembly directed their committee, chosen to correspond with their agent in London, to correspond with the several committees or assemblies on the continent.[2] The assemblies of Massachusetts, Connecticut, New York, Pennsylvania, South Carolina, and Virginia sent petitions and remonstrances against the proposed

[1] The Rhode-Island assembly elected a committee on the 30th of July, consisting of Stephen Hopkins, Daniel Jenckes, and Mr. Nicholas Brown. — Rhode-Island Records, vi. 403. Their letter, referred to in the text, is dated Oct. 8. 1764, and was addressed to Franklin as speaker of the Pennsylvania assembly. — Sparks's Franklin, vii. 264. This assembly referred the Massachusetts circular to a committee, who reported a plan to co-operate with parliament in devising a system of taxation; but, on receiving the Rhode-Island letter, it not merely resolved to remonstrate against the proposed tax, but to send Franklin to London as their agent. — Gordon's Pennsylvania, 431. 432. Martin (Hist. North Carolina, i. 288) says the committee of correspondence of North Carolina consisted of the speaker and four members.

[2] The New-York assembly, on the 7th of March, 1759, "ordered that the members of New York, or the major part of them, be a committee of correspondence to correspond with the agent of this colony at the court," &c. On the 18th of October, 1764, the assembly ordered this committee to correspond with the several assemblies, or committees of assemblies, on this continent, &c. — Journal of the General Assembly of New York. It is stated in "New-York City during the Revolution," 1861, that, "in October, 1764, New York appointed the first committee of correspondence six years before Massachusetts, and nine years before Virginia took any steps to imitate her example." — p. 11. And this statement has been repeated and dwelt upon. It will be seen, by comparing the date of the action of New York with the action of the Massachusetts assembly, that this is an error.

Stamp Act, and gave directions that their agents should act together; but no further attempt was made at that time to obtain united action. The state-papers elicited in this early movement were very able. All of them claimed for the colonies the traditionary right of self-taxation through their local assemblies.

The tameness of the petition of the Massachusetts legislature, which was a compromise between parties in the Council and the House, gave great dissatisfaction to the patriots. The boldest language was used by the New-York assembly, in which the brothers Philip and Robert R. Livingston, famed in the annals of that colony, took a prominent part. The assembly, in an address to Lieut.-Gov. Colden, written by Philip Livingston, express the hope that he would "heartily join with them in an endeavor to secure that great badge of English liberty of being taxed only with their own consent, to which they conceive all his majesty's subjects, at home and abroad, were equally entitled." The Virginia memorials were exceedingly able and high toned. The petition to the king and memorial to the Lords, were prepared by Richard Henry Lee, of a noble fame; and the memorial to the commons by George Wythe, one of the great characters of Virginia, who adorned the cause by his private and public virtues. The Rhode-Island assembly, in addition to its petition, ordered to be published a paper on the rights of the colonies, written by its governor, Stephen Hopkins, which met with large commendation.[1] The assemblies differed in the mode of presenting the question: but the patriots were animated by a similar spirit and

[1] This was printed in a pamphlet, and was advertised in the "Boston Post Boy," Dec. 31, 1764, and favorably noticed in the "Massachusetts Gazette" of Jan. 3, 1765. In the "Evening Post" of March 25, 1765, is the following extract from a letter from a merchant in New York, addressed to a person in Providence: "It is with the greatest pleasure I can acquaint you that your worthy governor's treatise on the 'Rights of the Colonies,' which hath been republished here, meets with the highest approbation, and even admiration, of the inhabitants of this city in general; and I doubt not but every friend to liberty and this country, wherever he be, will equally admire the spirit and reasoning of the honorable author."

principles; especially were they a unit in claiming, in the language of the Virginia assembly, "their ancient and inestimable right of being governed by such laws respecting their internal polity and taxation as were derived from their own consent, with the approbation of the sovereign or his substitute."[1]

I have not met with any other references to a correspondence between the assemblies by their committees, during the year 1764, than those already noticed. The Boston Instructions of May were the only state-paper of a public body against the proposed Stamp Act printed in the journals until September,[2] when the address of the New-York assembly to the governor appeared.[3] The petitions of Massachusetts[4] and Virginia[5] were not in circulation until March.

[1] The "Boston Gazette" of Sept. 17, 1764, advertises as just published "The Sentiments of a British American." This pamphlet was written by Oxenbridge Thacher, one of the representatives of Boston. It says: —

"It is esteemed an essential British right, that no person shall be subject to any tax but what in person or by his representative he hath a voice in laying." — "The colonies have ever supported a subordinate government among themselves. Being placed at such a distance from the capital, it is absolutely impossible they should continue a part of the kingdom in the same sense as the corporations there are. For this reason, from the beginning, there hath been a subordinate legislature among them, subject to the control of the mother-state, and from the necessities of the case there must have been such; their circumstances and situation being in many respects so different from that of the parent State, they could not have subsisted without this. Now, the colonists have always been taxed by their own representatives and in their respective legislatures, and have supported an entire domestic government among themselves."

[2] The memorial adopted by Massachusetts, June 13, 1764, was printed only in Otis's "Rights of the Colonies" and the Journal of the House.

[3] This address was copied into the "Boston Gazette" of Sept. 24, 1764.

[4] The petition of the Council and House, dated Nov. 4, 1764, was printed in the "Boston Evening Post" of March 11, 1765, accompanied by the following paragraph at the head: "From the 'S.-Carolina Gazette' of Feb. 6, 1765. — A correspondent has favored us with the following, which may enable our readers to form some judgment of the present application to parliament of the northern colonies for the repeal of the Sugar Act, &c., &c." At the end is the following: "The petitions and representations of New York, Rhode Island, &c., are much to the same effect with the above, most of them exceeding it in length and pathos. As these petitions may be supposed to be about this time under the consideration of parliament, in two or three months we may receive accounts of their reception by that august and supreme legislative body."

[5] The Virginia papers were printed in the "Massachusetts Gazette" of March 21, 1765, with the following introduction: "Having obtained a copy of an Address, Memorial, and Remonstrance of the Council and House of Burgesses of Virginia, we are requested to publish them, not doubting but they will be agreeable to most of our readers."

The patriots, however, reached the people through the press. A forcible appeal in one journal was often copied into others. A calm, clear, and admirable presentation of the whole American question spoke of the colonists as being, with respect to government, really the happiest people of any under the sun, as believing that Britain had laid the foundation of the greatest empire that ever existed, the more glorious as it was for ages to come destined to be the asylum of the oppressed; and averred that they owed all this prosperity to no other cause than that which made Rome the mistress of the world, gave grandeur, riches, and power to Venice and Holland, and constituted the glory of Britain, — Liberty. It declared that nothing but oppression could unite the colonies in a design for independence, and that without Union they could do nothing.[1] Another argument runs thus, "It is seldom, indeed very seldom, that any people have had more at stake than we at present have. Whether we shall be taxed arbitrarily or at the will of others in our internal police, is a question that is now deciding in Great Britain; and this question amounts simply to this, Whether we shall have any thing we can call our own or not."[2] An impassioned appeal, expressed in violent terms, indignantly asked, If the rights and privileges of the people, as Englishmen, are violated, what reason, then, can remain why they should prefer the British to the French government or any other? They will hate and abhor ministerial power; and, "as soon as ever they are able, will throw it off."[3] Another writer argued, that, if the interests of the mother-country and the colonies cannot be made to coincide, if one constitution may not do for both, if she requires the sacrifice of their most valuable natural rights, — "their right of making their own

[1] Boston Gazette, Sept. 10, 1764, copied from the New York Mercury of Aug. 27.

[2] Boston Evening Post of Feb. 4, 1765, copied from the Providence Gazette of Jan. 21, 1765.

[3] Boston Evening Post, March 25, 1765.

laws and disposing of their own property by representatives of their own choosing, . . . then the connection between them ought to cease, and sooner or later it must inevitably cease."[1] These citations show the sentiment of the Whigs. They held, that, if taxation were imposed on them, in any shape, unless they had a legal representation where it was laid, they would be "reduced from the character of free subjects to the miserable state of tributary slaves."[2] Thus the proposed Stamp Act was held up as an aggression on what had become a grand historical influence in America, — local self-government.

The petitions sent to England against the Stamp Act proved of no avail in preventing its passage. The ministers appealed successfully to the moneyed classes, by holding out the prospect of being relieved from taxation; and to the national pride, by averring that the right of sovereignty over the colonies was in issue, and ought to be settled: and all parties joined in favor of the new policy. In the House of Commons, when the bill imposing a duty on stamps was under consideration, even the gush of eloquence of Isaac Barré, in which he called the Americans "Sons of Liberty,"[3]

[1] Freeman, quoted by Bancroft, v. 284, under the date of May, 1765.

[2] Boston Instructions.

[3] This famous speech was heard by Jared Ingersoll of Connecticut, who sent over a report of it in a letter, which was printed in the newspapers under the head of "New London, May 10, 1765." The next year he published a pamphlet, entitled "Mr. Ingersoll's Letters relating to the Stamp Act," having a preface dated "New Haven, June 15, 1766." In this pamphlet the report is much altered, and is the version commonly met with. Thus the 1766 version begins, "They planted," &c.; that of 1765 begins, "Children planted," &c. In the 1766 version, the next sentence is, "They fled from your tyranny to a then uncultivated and unhospitable country:" the 1765 version is, "They fled from your tyranny into a then uncultivated land." There are upwards of thirty variations. I copy the original letter from the "Boston Post Boy and Advertiser" of May 27, 1765:—

Mr. *Charles Townshend* spoke in favor of the bill (stamp duty), and concluded his speech by saying to the following effect: —

"These children of our own planting (speaking of *Americans*), nourished by our indulgence until they are grown to a good degree of strength and opulence, and protected by our arms, will they grudge to contribute their mite to relieve us from the heavy load of national expense which we lie under?"

Which having said and sat down, Mr. *Barré* arose, and, with eyes darting fire and an out-

did not prevent the debate from being termed languid: there was not a show of opposition in the House of Lords; the bill passed by a great majority; and, on the 22d of March, 1765, the act "that will be remembered as long as the globe lasts," received the royal assent. It provided that all bills, bonds, leases, notes, ships' papers, insurance policies, and legal documents, to be valid in the courts, must be written on stamped paper, which was to be sold by public offices at prices that constituted a tax. In connection with this was the law which extended the jurisdiction of vice-admiralty courts in such a way as to exclude trial by jury.

The Stamp Act found a public sentiment in the colonies prepared to oppose it as an internal tax. All parties regarded it in this light. Some were in favor of yielding obedience to it as the law; but the Whigs, though a portion of them involuntarily hesitated at the idea of resisting the execution of an act of parliament, soon became

stretched arm, spoke as follows, with a voice somewhat elevated and with a sternness in his countenance which expressed in a most lively manner the feelings of his heart: —

"Children planted by your care? No! Your oppression planted them in *America;* they fled from your tyranny into a then uncultivated land, where they were exposed to almost all the hardships to which human nature is liable, and, among others, to the savage cruelty of the enemy of the country, — a people the most subtle, and, I take upon me to say, the most truly terrible of any people that ever inhabited any part of GOD'S EARTH; and yet, actuated by principles of true *English* liberty, they met all these hardships with pleasure, compared with those they suffered in their own country from the hands of those that should have been their friends.

"They nourished up by your indulgence? They grew by your neglect of them. As soon as you began to care about them, that care was exercised in sending persons to rule over them, in one department and another, who were perhaps the deputies of some deputy of members of this House, sent to spy out their liberty, to misrepresent their actions, and to prey upon them, — men whose behavior, on many occasions, has caused the blood of those Sons of LIBERTY to recoil within them, — men promoted to the highest seats of justice: some, to my knowledge, were glad by going to foreign countries to escape being brought to a bar of justice in their own.

"They protected by your arms? They have nobly taken up arms in your defence, have exerted their valor, amidst their constant and laborious industry, for the defence of a country whose frontiers, while drenched in blood, its interior parts have yielded all its little savings to your enlargement; and, BELIEVE ME, — REMEMBER I THIS DAY TOLD YOU SO, — that the same spirit which actuated that people at first will continue with them still; but prudence forbids me to explain myself any further. GOD KNOWS, I do not at this time speak from motives of party heat. What I deliver are the genuine sentiments of my heart; however superior to me in general knowledge and experience the respectable body of this House may be, yet I claim to know more of *America* than most of you, having seen and been conversant in that country. The people there are as truly loyal, I believe, as any subjects the king has; but a people jealous of their liberties, and who will vindicate them, if they should be violated. — But the subject is too delicate. I will say no more."

united in the view that submission would be a badge of slavery.

The newspapers abound with detail relative to a passive resistance to the new policy, — the movement in favor of domestic manufactures and of a non-importation agreement. As the preparations appeared to enforce the oppressive Acts of Trade, it was asked in the press, "Is it impossible for the colonies ever to unite, and endeavor to prevent their destruction?"[1] The traditionary idea of union, partially acted upon during the previous year in commercial and political matters, naturally suggested itself anew by the passage of the Stamp Act.

The Legislature of Massachusetts met soon after the reception of this news. James Otis was a member of the House. He was moody, impulsive, and at times rash in expression, but full of generous aims for the good of his country. He had seasons of such exaltation, that he seemed to himself to hear the prophetic song of the sibyls chanting the spring-time of a new empire.[2] His hope rested on forming such a union of the colonies as "should knit and work into the very blood and bones of the original system, every region as fast as settled."[3] He suggested[4] that there should be a meeting of committees from the assemblies to consider the danger of the colonies, and unite in a petition for a relief. The patriots hardly had a working majority in the House; but the loyalists saw that it would be impossible to defeat this proposition, and, with the object of controlling the movement, aimed to keep it in their hands.[5] Thus a resolve to carry out the suggestion of Otis was unanimously adopted. The House selected for the delegates James Otis and two others, Oliver Partridge and Timothy Ruggles, whom the governor characterized as "fast friends of government, — prudent and discreet men, who

[1] Boston Gazette, Nov. 28, 1763.
[2] Bancroft, v. 295.
[3] Otis, cited by Bancroft, v. 292.
[4] Warren's American Revolution, i. 31.
[5] Gordon, i. 172.

would never consent to any improper application to the government of Great Britain." [1] The House adopted a circular, and ordered it to be signed by the speaker, and to be sent to the several assemblies on the continent. It was a comprehensive measure, designed to lay the foundation for the union of all the colonies in opposition to the new policy, when the opinion was common that union between them was impracticable.[2]

The early response to the circular was unpromising. The speaker of the New Jersey Assembly promptly replied, that the members of that body were "unanimously against uniting on the present occasion;" [3] and for several weeks no movement appeared in favor of the great and wise measure of convening a congress. It soon, however, received a powerful impetus. It was said of Virginia, that the intelligence of the passage of the Stamp Act "filled the whole

[1] Ibid., iii. 173.

[2] The legislature met on the 29th of May. On the 6th of June, a committee of nine was appointed to consider the state of public affairs; namely, Mr. Speaker (Samuel White), Brigadier Ruggles, Colonel Partridge, Colonel Worthington, General Winslow, Mr. Otis, Mr. Cushing, Colonel Saltonstall, and Captain Sheafe. The committee reported the resolve for a congress the same day. The Speaker, Otis, and Mr. Lee were appointed to prepare the circular. This was adopted on the 8th. On the 24th, a committee was chosen to prepare instructions to the delegates and a letter to the agent. On the 25th, the House ordered "that all the proceedings relative to sending a committee to New York be printed in this day's journals," &c. — Journals of the House. The circular was also printed in the "Boston Evening Post" of Aug. 26, 1765, and is as follows: —

BOSTON, June 8, 1765.

SIR, — The House of Representatives of this province, in the present session of General Court, have unanimously agreed to propose a meeting, as soon as may be, of committees from the houses of representatives or burgesses of the several British colonies on this continent, to consult together on the present circumstances of the colonies, and the difficulties to which they are and must be reduced by the operation of the acts of parliament for levying duties and taxes on the colonies, and to consider of a general and united, dutiful, loyal, and humble representation of their condition to his majesty and to the parliament, and to implore relief. The House of Representatives of this province have also voted to propose, that such meeting be at the city of New York, in the province of New York, on the first Tuesday in October next, and have appointed the committee of three of their members to attend that service, with such as the other houses of representatives or burgesses, in the several colonies, may think fit to appoint to meet them; and the committee of the House of Representatives of this province are directed to repair to the said New York, on the first Tuesday in October next, accordingly; if, therefore, your honorable House should agree to this proposal, it would be acceptable that as early notice of it as possible might be transmitted to the Speaker of the House of Representatives of this province. SAMUEL WHITE, *Speaker.*

[3] Letter from the Speaker of the New Jersey Assembly, June 20, 1765.

colony with the utmost consternation and astonishment."[1] The House of Burgesses, then in session, delayed action. A vacancy enabled the people of Louisa County, in May, to elect Patrick Henry a member. He was a young man who had failed as a merchant and had struggled manfully with poverty; but, after a short course of study, had become a lawyer, and was in a lucrative and growing practice. He was of an ungainly figure, wore coarse clothes, loved music, dancing, and pleasantry, and, among his boon companions, would talk of the "yearth" and of "men's naiteral parts being improved by larnin."[2] He had singleness of aim, an indwelling love of liberty, depths that could be profoundly stirred, and wonderful intellectual gifts. His gushing, fiery, and thrilling eloquence had been heard before a committee of the burgesses; but this was his first term as a member. He entered the assembly with the general indignation intensified in him as in a focus. Within three days of the close of the session, he took a blank leaf of a law-book, and wrote on it a series of resolves, to the effect that the people of Virginia were entitled, as subjects, to the privileges enjoyed by the people of England; that they had the right of being "governed by their own assembly, in the article of their taxes and internal police;" that attempts to vest such power in any other persons "had a tendency to destroy British as well as American freedom;" and that the people were not bound to obey any other law imposing a tax. These resolutions were seconded by Mr. Johnston; but were opposed by Bland, Pendleton, Randolph, and Wythe, on the ground that the burgesses had expressed similar views in a more conciliatory way. In this debate, the genius of the native orator soared to such heights, that to Jefferson, a delighted listener, Henry seemed to speak as Homer wrote. He startled the House with "a warning flash from history" as he exclaimed, "Tarquin and Cæsar had each a Brutus; Charles the First, his Cromwell; and George the Third" — and

[1] Letter in Boston Gazette, July 22, 1765.
[2] Wirt's Life of Patrick Henry, 53.

paused, when the speaker cried "Treason!" and the word was repeated on the floor, while Henry, with his eye fixed on the chair, closed the sentence, "may profit by their example."[1] Four resolves only were entered on the journal, when the governor dissolved the assembly. The series, consisting of six resolves and a preamble, were printed in the newspapers as having been adopted,[2] and had a marked effect

[1] I copy the version in Bancroft, v. 277. Jefferson (Wirt's Henry, 84) mentions Henry's pause. The relation is somewhat different in Wirt, 83.

[2] There is much matter about these resolves in Wirt's "Life of Henry." Here (80) will be found the four resolves as recorded on the journals, May 30, 1765. Also (74) a copy printed from Henry's handwriting. Neither correspond with the series as originally printed. The Massachusetts Assembly, when they issued their circular, did not know of the action of the Virginia Assembly. The series of resolves, as they contributed to shape public opinion, appeared in "The New Port Mercury" June 24, and were copied into the Boston papers of July 1. I print for reference from the "Boston Gazette." There are but slight variations in it from the copy in Marshall ii., App. 26:—

Extract of a letter from a gentleman in Philadelphia to his friend in this town, dated last Tuesday:—

I have enclosed the resolves of the Virginia Assembly on debating the Stamp Act. The governor, as soon as he heard what they were about, sent for them, and without preamble, told them he would dissolve them; and that minute they were dissolved. As they are of an extraordinary nature, [I] thought they might not be disagreeable. They are as follows:—

Whereas the Hon. House of Commons, in England, have of late drawn into question how far the General Assembly of this colony hath power to enact laws for laying of taxes and imposing duties, payable by the people of this his majesty's most ancient colony: for settling and ascertaining the same to all future times, the House of Burgesses of this present General Assembly have come to the following resolves:—

Resolved, That the first adventurers, settlers of this his majesty's colony and dominions of Virginia, brought with them and transmitted to their posterity, and all other his majesty's subjects since inhabiting in this his majesty's colony, all the privileges and immunities that have at any time been held, enjoyed, and possessed by the people of Great Britain.

Resolved, That by two royal charters, granted by King James the First, the colony aforesaid are declared and entitled to all privileges and immunities of natural-born subjects, to all intents and purposes as if they had been abiding and born within the realm of England

Resolved, That his majesty's liege people of this his ancient colony have enjoyed the right of being thus governed by their own assembly in the article of taxes and internal police, and that the same have never been forfeited, or any other way yielded up, but have been constantly recognized by the king and people of Britain.

Resolved, therefore, That the General Assembly of this colony, together with his majesty or his substitutes, have, in their representative capacity, the only exclusive right and power to lay taxes and imposts upon the inhabitants of this colony; and that every attempt to vest such power in any other person or persons whatever than the General Assembly aforesaid, is illegal, unconstitutional, and unjust, and have a manifest tendency to destroy British as well as American liberty.

Resolved, That his majesty's liege people, the inhabitants of this colony, are not bound to yield obedience to any law or ordinance whatever, designed to impose any taxation whatsoever upon them, other than the laws or ordinances of the General Assembly aforesaid.

Resolved, That any person who shall, by speaking or writing, assert or maintain that any person or persons other than the General Assembly of this colony have any right or power to impose or lay any taxation on the people here, shall be deemed an enemy to his majesty's colony.

on public opinion. The principle they embodied as to taxation had been early asserted: the tone of opposition was exceeded by the issues of the press; but it was heralded as the voice of a colony. It was a bold stroke in this way to proclaim, that no obedience was due to a law imposing a tax not sanctioned by a general assembly.

The fame of the resolves spread as they were circulated in the journals, and in a short time the people could read the apt historical reference of the "forest-born Demosthenes," as he pointed George III. to memorable examples.[1] The Whigs hailed the action of the Old Dominion with admiration. It was said in the press, "The people of Virginia have spoken very sensibly, and the frozen politicians of a more northern government say they have spoken treason."[2] Oxenbridge Thacher, as he lay on his death-bed, expressed the feeling of the patriots, as he exclaimed, "Oh! those Virginians are men: they are noble spirits." The commander of the British force in New York wrote home, that the resolves gave the signal for a general outcry over the continent.[3]

This Virginia action, like an alarum, roused the patriots to pass similar resolves. The town of Providence, in public meeting, instructed their representatives, in the first place, to use their utmost endeavors to have commissioners appointed to attend a congress to meet other commissioners at New York, agreeably to the proposal of the Massachusetts province; and then, to procure the passage of a series of resolves, in which were incorporated those adopted by Virginia, as the voice of the colony. This stands out in the proceedings of the time as another bold utterance.[4] It was a timely and welcome indorsement of the action of

[1] Letter from Virginia, June 14, 1765, in "London Gazetteer," Aug. 13, 1765; and a New-York paper, Oct. 31, 1765. Bancroft, v. 277.

[2] Boston Gazette, July 8, 1765. [3] Gage to Conway, Sept. 23, 1765.

[4] These resolves were passed Aug. 13, and occupy about a column and a half of the Boston papers of Aug. 19. In the "Boston Post Boy" of March 24, 1766, it is said that Providence was the first town on the continent that instructed their representatives after the passage of the Stamp Act.

Massachusetts and Virginia. This is the way in which the two most important of the thirteen colonies went hand in hand in rolling the ball of revolution.

The resolves of Providence gave the influence of a town in favor of the proposed Congress, — an example warmly commended by the press. Soon after their publication, it became known that a colony had chosen delegates. When the Massachusetts circular was debated in the assembly of South Carolina, and the opposition to it by the Tories was strong, Christopher Gadsden, who, it is said, "was born a republican," advocated the measure with a noble zeal. He was sent to England for his education; and learned Latin, Greek, and French, and subsequently the Hebrew and Oriental languages. He was trained in mercantile affairs in Philadelphia, and at Charleston became a merchant of large enterprise. He acted in the belief that the American cause was the cause of liberty and human nature. He was a great, wise, and good man. To him belongs no small share of the merit of persuading the assembly to adopt this measure of choosing commissioners.[1] The Whigs, in all quarters, favored the project. The Tories ridiculed or opposed it. In a short time, it was announced that Pennsylvania, Rhode Island, and Connecticut had chosen delegates. Boston, in town-meeting, expressed the greatest satisfaction at the prospect that most of the colonies would unite;[2] the press heartily commended the Congress, and reproduced the old device of Franklin, with its motto, "Join or Die."[3] All the original thirteen colonies either expressed sympathy or chose delegates; and thus union was welcomed as befitting the dignity, the honor, and the needs of a free people.

[1] Ramsay's South Carolina, ii. 457, 459. The delegates from this colony were appointed Aug. 2. They were announced in the "Boston Post Boy," Aug. 26. The Providence Resolves were passed Aug. 13, and were immediately printed.

[2] Boston Instructions in "Massachusetts Gazette," Sept. 19.

[3] The "Constitutional Courant," "printed by Andrew Marvell, at the sign of the bribe refused, on Constitutional Hill, North America," appeared with this motto on the 21st of September; and the figure, with the address, appears in the "Boston Post Boy" of Oct. 7.

Meantime, "The Sons of Liberty" — a term that grew into use soon after the publication of Barré's speech[1] — were entering into associations to resist, by all lawful means, the execution of the Stamp Act.[2] They were long kept secret, which occasioned loyalists to say, that there was a private union among a certain sect of republican principles from one end of the continent to the other.[3] As they increased in numbers, they grew in boldness and publicity, announcing in the newspapers their committees of correspondence, and interchanging solemn pledges of support. The Virginia resolves, as circulated in the press, declaring that no obedience was due to the Stamp Act, strengthened the purpose of these associations. Their organization, from the first, meant business of the most determined character. It was Cromwellian in its aims, going straight to the mark of forcible resistance. Though it was imbued with one spirit, circumstances occasioned the special manifestations. Thus, when the Virginia resolves had been for a month doing their mission, the names of the stamp distributers appeared at Boston; and, six days afterwards, those transactions occurred here, at the time Andrew Oliver promised not to serve as stamp officer, which made the "Fourteenth of August" memorable as the anniversary of the uprising of the people against the Stamp Act. As a great concourse gathering under the elm, subsequently named Liberty Tree, marched through the streets, the words "Liberty, Property, and No Stamps" passed from mouth to mouth. They proved to be talismanic words. They were echoed in processions formed in other places for similar purposes.

[1] The "Boston Gazette" of Aug. 12, 1765, announced that the town of Providence had met and chosen a committee to instruct their representatives, who were to report "to-morrow," when it said, "Those Sons of Liberty were to convene again for the noblest of all causes, their country's good;" and it commended the example to other towns.

[2] "I am informed that associations are forming to which several thousands have subscribed in that government, in New Hampshire and Massachusetts, in concert with the other American governments, to draw up remonstrances to his majesty, &c., and to oppose this tremendous act by all lawful means." — Boston Gazette, July 22, 1765.

[3] Galloway's Letter, Jan. 13, 1766.

In some cases, the unhappy stamp distributers were compelled to stand high before the people and shout, "Liberty, Property, and No Stamps." These words became a favorite toast, and stood as a motto at the head of the press.[1] In their name were committed outrages similar to those which characterized popular outbreaks in England, — the destruction of buildings, plundering, and personal wrong.[2] This work had been ascribed to the republican cause, and enabled its enemies to connect it with anarchy and bring it to ruin. In America, where the people had grown up in a spirit of reverence for law as well as a love of liberty, these outrages occasioned deep abhorrence, and constituted a profitable lesson.[3]

When the public mind was thus inflamed, the members chosen to attend the congress met, Oct. 7, in the City Hall at New York,[4] which abounded with the bitterness, strife, and all the elements of a political paroxysm. In no place were the Sons of Liberty more determined, or were their opponents more influential.[5] It was the headquarters of the

[1] The "Boston Post Boy and Advertiser" of Nov. 18, 1765, placed at its head this line: "The united voice of all his majesty's free and loyal subjects in America. Liberty and Property and No Stamps."

[2] The following are the dates, obtained in the newspapers, of the popular uprisings: In Boston, Aug. 14; Norwich, Aug. 21; New London, Aug. 22; Providence, Aug. 24; Lebanon, Aug. 26; Newport, Aug. 27; Windham, Aug. 27; Annapolis, Aug. 29; Elk Ridge, Aug. 30; New Haven, Sept. 6; Portsmouth, Sept. 12; Dover, Sept. 13; Philadelphia, Oct. 5; New York, Nov. 1. The greatest outrages were committed in Boston on the 26th of August, in Newport on the 27th, at Annapolis on the 29th, and at New York on the 1st of November, in which houses were damaged or demolished.

[3] The anniversary of the 14th of August, 1765, — the date of the uprising against the Stamp Act, — was observed for several years by the patriots; but, at the first celebration, held under "the sacred elm," Liberty Tree, the tenth toast was, "May the 26th of August, 1765 (the date of the assault on Hutchinson's House), be veiled in perpetual darkness."

[4] At the time of the first meeting, Sept. 30, Maryland and New Jersey had not chosen delegates. On Tuesday, Oct. 1, an express arrived, informing that delegates would be chosen from Maryland; and, on the next day, another, stating that the members of the New Jersey assembly would choose. — Boston Post Boy, Oct. 14.

[5] Much interesting matter relative to "The Sons of Liberty in New York" may be found in "A paper read before the New-York Historical Society, May 3, 1859, by Henry B. Dawson," and printed for private distribution.

British force in America, the commander of which, General Gage, wielded the powers of a viceroy. A fort within the city was heavily mounted with cannon. Ships of war were moored near the wharves. The executive, Lieutenant-governor Colden, was resolved to execute the law. When the Massachusetts delegates called on him, he remarked that the proposed congress would be unconstitutional, and unprecedented, and he should give it no countenance.[1]

The congress consisted of twenty-eight delegates from nine of the colonies; four, though sympathizing with the movement, not choosing representatives.[2] Here several of

[1] Boston Post Boy, Oct. 14, 1765.

[2] The congress consisted of members chosen and commissioned as follows: —

MASSACHUSETTS. — James Otis, Oliver Partridge, Timothy Ruggles. They were chosen, June 8, by the general assembly, and bore a commission signed by Samuel White, speaker.

SOUTH CAROLINA. — Thomas Lynch, Christopher Gadsden, John Rutledge. They were chosen, Aug. 2, by the assembly, and bore the journal of the votes of their election, signed by Edward Rawlins, speaker.

PENNSYLVANIA. — John Dickenson, John Morton, George Bryan. They were chosen, Sept. 11, by the assembly, and bore instructions signed by Charles Moore, clerk.

RHODE ISLAND. — Metcalf Bowler, Henry Ward. They were chosen by the assembly, and bore a commission signed by Samuel Ward, the governor.

CONNECTICUT. — Eliphalet Dyer, David Rowland, William S. Johnson. They were chosen, Sept. 19, by the assembly, and bore a copy of the vote appointing them, and instructions signed by Thomas Fitch, the governor.

DELAWARE. — Thomas McKean, Cæsar Rodney. They were designated informally by fifteen of the eighteen members of the assembly, and bore three instruments, dated Sept. 13, 17, and 20, and signed by the members from the counties of New Castle, Kent, and Sussex.

MARYLAND. — William Murdock, Edward Tilghman, Thomas Ringgold. They were chosen by the assembly in October, and bore a commission signed by Robert Lloyd, speaker.

NEW JERSEY. — Robert Ogden, Hendrick Fisher, Joseph Borden. They were designated by "a large number of the representatives," Oct. 3, and bore a certificate signed John Lawrence.

NEW YORK. — Robert R. Livingston, John Cruger, Philip Livingston, William Bayard, Leonard Lespinward. They bore a certified copy of the votes of the journals, dated April 4, 171- (April 4, 1759), Dec. 9, 1762, and Oct. 18, 1764, constituting "the members of the city of New York" and "Robert R. Livingston" a committee of correspondence. — See p. 171, where the first date is March 9, 1759.

Virginia, New Hampshire, Georgia, and North Carolina did not send delegates. The "Journal of the Proceedings" contains a letter from the New-Hampshire assembly, dated June 29, 1765, signed A. Clarkson, clerk, approving of the Congress, and promising to join in any address they might be honored with the knowledge of; and

the patriots, who had discussed the American question in their localities, met for the first time. James Otis stood in this body the foremost speaker; and his pen, with the pens of the brothers Roger and Philip Livingston, of New York, were summoned to service in a wider field. John Dickenson, of Pennsylvania, was soon to be known through the colonies by "The Farmer's Letters." Thomas McKean and Cæsar Rodney were pillars of the cause in Delaware. Edward Tilghman was an honored name in Maryland. South Carolina, in addition to the intrepid Gadsden, had, in Thomas Lynch and John Rutledge, two patriots who appear prominently in the subsequent career of that colony. Thus this body was graced by large ability, genius, learning, and common sense. It was calm in its deliberations, seeming unmoved by the whirl of the political waters.

The congress organized by the choice, by one vote, of Timothy Ruggles, a Tory, — as the chairman, — and John Cotton, clerk. The second day of its session, it took into consideration the rights, privileges, and grievances of "the British American colonists;" and, after eleven days' debate, it agreed — each colony having one vote — upon a declaration of rights and grievances, and ordered it to be inserted in the journal. This earliest embodiment of principles by an American congress consists of a preamble and fourteen resolves. They expressed the warmest sentiments of affection and duty to the king, "all due subordination to that august body, the parliament," and claimed all the inherent rights and privileges of natural-born subjects within the kingdom of Great Britain. They affirmed that it is inseparably essential to the freedom of a people, and one of the undoubted rights

a letter from Georgia, dated Sept. 6, signed Alexander Wylly, in behalf of sixteen of the twenty-five representatives, warmly sympathizing with the cause, and stating that the governor would not call them together, but promising a concurrence with the action. These letters were addressed to the Speaker of the Massachusetts assembly.

The statements in this note are derived from the "Journal of the Proceedings" of this congress in Niles' "Principles and Acts of the Revolution," p. 451.

of Englishmen, that taxes cannot be imposed on them without their own consent, given personally or through their representatives; that the colonists could not be represented in the House of Commons, and could be represented only in their respective legislatures; and that no taxes could be constitutionally imposed on them but by these legislatures. They declared that the trial by jury is the inherent and invaluable right of every British subject in these colonies; and they arraigned the recent acts of parliament as having a manifest tendency to subvert the rights and liberties of the people.

The congress then matured an address to His Majesty, a memorial to the House of Lords, and a petition to the House of Commons, which were ordered to be engrossed.[1] These papers enlarge on the two main points of the resolves; namely, the claims respecting taxation and the trial by jury. They say, "We glory in being subjects of the best of kings, having been born under the most perfect form of government." They express an ardent desire for a continuation of the connection between Great Britain and America; and aver that the most effectual way to secure this would be by fixing the pillars thereof on liberty and justice, and by recognizing the inherent rights of the people; specifying, as essential to freedom, self-taxation and trial by jury. They emphasize the important and vital point, that the remote situation and peculiar circumstances of the colonists rendered it impossible they should be represented except in their respective subordinate legislatures, which, as nearly as convenient, had been moulded after that of the mother country, and exercised full powers of legislation under the English constitution. They averred that they and their ancestors had been born under the forms of government

[1] The committee on the address to the king were Robert R. Livingston, William Samuel Johnson, and William Murdock; on the memorial to the House of Lords, John Rutledge, Edward Tilghman, and Philip Livingston; on the petition to the House of Commons, Thomas Lynch, James Otis, and Thomas McKean.

which had been established here, and which had protected their lives, liberties, and properties; that they entertained great fondness for old customs and usages; and they prayed that these circumstances might be taken into consideration and their just rights restored.

These resolves and petitions elicited long debates. Only few memorials, however, remain of the sentiments of the speakers. Some of the members pleaded, as the foundation of their liberties, charters from the crown. Robert R. Livingston, of New York, would not consent to base American liberties on such a foundation. Christopher Gadsden, who objected to petitioning parliament, on the ground that the colonists derived their rights neither from Lords nor Commons, with clear discrimination and in memorable words, said, "A confirmation of our essential and common rights as Englishmen may be pleaded from charters safely enough; but any further dependence on them may be fatal. We should stand upon the broad, common ground of those natural rights that we all feel and know as men and as descendants of Englishmen. I wish the charters may not ensnare us at last, by drawing different colonies to act differently in this great cause. Whenever that is the case, all will be over with the whole. There ought to be no New-England man, no New-Yorker, known on the Continent; but all of us Americans." [1]

The congress advised the colonies to appoint special agents to solicit relief, and for this purpose to unite their utmost endeavors. When the matter of signing was discussed, some of the members objected, and urged that each colony ought to petition separately. The chairman, Ruggles, said, "It was against his conscience" to sign; when McKean, of Delaware, "rung the change on the word conscience so loud," that

[1] Bancroft, v. 385. Pitkin, in his "Political and Civil History of the United States," &c., ii. 448, 1828, printed an elaborate "Report of a Committee on the Subject of Colonial Rights," from a copy found among the papers of Dr. Johnson, one of the members from Connecticut. A comparison of this paper with the papers adopted by the congress shows that it was much used by their authors.

Ruggles gave him a challenge before all the members, which was promptly accepted by McKean.[1] The delegates present from only six of the colonies — except Ruggles and Ogden — signed the petition; those from New York, Connecticut, and South Carolina not being authorized to sign. On the 25th of October, the congress adjourned.[2]

Special measures were taken to transmit the proceedings to the unrepresented colonies.[3] The several assemblies, on meeting, heartily approved of the course of their delegates who concurred in the action of congress; but Ruggles, of Massachusetts, was reprimanded by the speaker in the name of the House, and Ogden, of New Jersey, was hung in effigy by the people.[4] The action of the assemblies was announced in the press.[5] Meanwhile the Sons of Liberty, through

[1] John Adams's Works, x. 61. McKean says Ruggles left early the next morning, without an adieu to any of his brethren.

[2] The clerk was directed to sign the minutes of the proceedings of this congress, and deliver a copy for the use of each colony. Two sets were sent immediately to England by two vessels. The Declaration of Rights is in the "Massachusetts Gazette" of March 20, 1766, copied from the "Providence Gazette Extraordinary;" the three petitions are in the "Boston Gazette" of April 14, 1766. The "Providence Gazette" had a brief criticism on some of the points. The proceedings of the congress in part were printed in London by Almon in 1767. "Niles's Register" of July 25, 1812, contained the whole proceedings and documents, printed from a manuscript copy attested by the secretary, John Cotton. It was found among the papers of Cæsar Rodney. This was reprinted, in 1822, in Niles's "Principles and Acts of the Revolution," &c.

[3] The Congress, Oct. 25, resolved, "That the gentlemen from the Massachusetts Bay be requested to send a copy thereof to the colony of New Hampshire; the gentlemen of Maryland to Virginia; and the gentlemen of South Carolina to Georgia and North Carolina." — Journal in Almon's Tracts, 1767.

[4] The newspapers announced (Boston Post, Dec. 16) that the conduct of Borden and Fisher of New Jersey was approved. Ogden was obliged to decline his place as speaker. The Massachusetts assembly, Feb. 12, voted, "That Brigadier Ruggles, with respect to his conduct at the congress of New York, has been guilty of neglect of duty, and that he be reprimanded therefor by the speaker." This was done the next day. — Boston Evening Post, Feb. 17, 1766.

[5] The Connecticut assembly ordered their committee to sign the petitions and forward them. — Mass. Gazette, Nov. 14. The concurrence of the South-Carolina assembly was announced Dec. 2. The New York assembly approved of the attendance of their members, Nov. 20, and voted to send petitions to the king and the Lords and Commons. Their address to the Lords (Dec. 11, 1765) acknowledges "the Parliament of Great Britain justly entitled to a supreme direction and government over the whole empire for a wise, powerful, and lasting preservation of the great bond of

their committees of correspondence, urged a continental Union; pledged a mutual support in case of danger; in some instances stated the numbers of armed men that might be relied on; and thus evinced a common determination to resist the execution of the Stamp Act.[1] If the thoughtful grieved at seeing the unscrupulous seize the occasion of a nullification of a bad law in order to break from all law, they rejoiced to see springing into activity a spirit of union. It was said in the press, "It is the joy of thousands that there is union and concurrence in a general congress;"[2] it was judged that this body had transacted the most important business that ever came under consideration in America; and Gadsden expressed the Americanism of the hour as he wrote, "Nothing will save us but acting together. The province that endeavors to act separately must fall with the rest, and be branded with everlasting infamy."[3]

While the thirteen colonies, viewed as a whole, presented this aspect of union, there was an embodiment of public sentiment, by local organizations, not less interesting or significant. It would require too much space to describe the doings of "the respectable populace" in their public meetings, or of towns in instructing their representatives, or the dealing with the stamped paper, or what took place on the day the odious act was to go into effect. The hurricane, which commenced on the 14th of August, did not soon spend its force. The political waters were lashed into waves of fearful height. In this time of confusion and tumult,

union and the common safety." — Journals of the Assembly. The Governor of Virginia did not convene the assembly; but, in the "Journal of the Congress," this colony was understood to have concurred in the action.

[1] Gordon (i. 199) says that the Boston Sons of Liberty proposed, February, 1766, in a letter to the brotherhood at Norwich, a continental union, of which the latter greatly approved in a reply, Feb. 10. "The New-York Sons of Liberty sent circular letters as far as South Carolina, urging a continental union." Many of the towns of Massachusetts sent pledges to march with their whole force to defend those who should be in danger from their action on the Stamp Act. The same spirit prevailed in New York, Virginia, North Carolina, Connecticut, and other colonies. — Bancroft, v. 427.

[2] New-London Gazette, Nov. 1, 1765, cited in Bancroft, v. 353.

[3] Bancroft, v. 359.

the public sentiment was further embodied, in the general assemblies, in elaborate series of resolves which were circulated in the newspapers.[1] The committees appointed to prepare these papers would be likely to refer to prior action, and to use terms at hand, in doing this not very easy work. An analysis of these resolves shows that this was the case. Sentences, and, indeed, entire resolves, in the Virginia series, re-appear in those of Connecticut, Maryland, and Rhode Island; especially the words in which the colonial right was asserted "in the article of taxes and internal police;" and the New-Jersey and South-Carolina series contain several of the resolves of congress.

The above narrative of the proceedings in the colonies, growing out of the attempt of the ministry to carry out the new policy, shows how the two political schools regarded union when it was in American hands, and was urged for American objects.

The party of the prerogative met the proposition to hold a congress with ridicule, or denounced it as disloyal. Lieutenant-Governor Colden, of New York, held that it would be inconsistent with the constitution of the colonies, by which their several governments were made distinct and independent of each other;[2] Governor Franklin, of New

[1] The newspapers, after the middle of August, are laden with the proceedings of towns and of meetings, as they were termed, "of the respectable populace" of localities, and are too numerous to specify. I give the dates of the resolves of the general assemblies, and where they appeared in print. These resolves were, perhaps universally, circulated at full length in the newspapers.

Virginia. — March 29. The whole series of resolves (see page 180) were circulated as having passed, and appeared first in a Newport paper, June 24.

Rhode Island. — The resolves of Providence, adopting the Virginia resolves and adding one on admiralty courts and trial by jury, were passed Aug. 13. The assembly resolves were passed in September, and are in the "Boston Evening Post," Sept. 23.

Pennsylvania. — Sept. 21. In the "Boston Post Boy," Oct. 7.

Maryland. — September. In the "Boston Post Boy," Oct. 21.

Connecticut. — October. In the "Boston Post Boy," Nov. 11.

Massachusetts. — Oct. 29. In the "Boston Gazette," Nov. 4.

South Carolina. — Nov. 29. In the "Boston Gazette," Nov. 29.

New Jersey. — Nov. 30. In the "Massachusetts Gazette," Nov. 30.

New York. — Dec. 17. In the "Post Boy," Dec. 30.

[2] Colden, Letter, Sept. 23, 1765.

Jersey, a son of the philosopher, but an inveterate Tory, pronounced it irregular and unconstitutional; and Governor Wright, of Georgia, and Fauquier, of Virginia, succeeded in preventing the assemblies of these colonies from sending delegates. Their sympathizers in the congress, Ruggles and Ogden, urged that each colony ought to act separately, and declined to unite with the other delegates in signing the memorials. In a similar spirit, the Lords of Trade presented to the king the proceedings of Massachusetts, — on the occasion of the reception of the Declaratory Resolves, and in calling the congress, without a sanction from the crown, — as of dangerous tendency.[1] These facts evince the same jealousy of any action originating outside of official circles, aiming at a union of the colonies, that was seen in the case of the New-England confederacy, and in subsequent propositions, however innocent, for joint effort. This school aimed to keep America weak, by fostering the isolation of the colonies, or it aimed at such a unity by a consolidation of popular functions as would repress the republican element. It held that the government in England had unlimited power over the colonies, and that they ought not even to unite in a petition without its permission.

The Whigs held that the colonies, though subordinate, were under a limited government; that they had an undoubted right to join in petitions; and that union was the most efficient means to obtain a redress of grievances. Hence the attempt to unite the merchants, by committees of correspondence, in protests against the injustice of the acts of Trade; the proposition for joint action in the earliest organized movement in opposition to the contemplated Stamp Act; the cordial reception of the Massachusetts proposal for a congress; the associations of the Sons of Liberty, pledging to each other their lives in the support of their rights; and the inspiring cry for "A continental union." It is not without significance that at that time the term "America" was used

[1] Parliamentary History, xvi. 122. The representation is dated Oct. 1, 1765.

as applied to a people, and the term "country" as applied to America.[1] The inspiration of the thought which those terms expressed is seen in the language in which Christopher Gadsden urged his countrymen to lift above all merely provincial names the name of American. Thus union had become a sentiment, a moral power, and began to influence the course of events. A similar sentiment could not be roused in Greece in its palmiest days. In the course of the great history of that people, at times, a purpose at once common, innocent, and useful, spontaneously brought together fragments of that disunited race; but it was not powerful enough to counteract that bent towards a petty and isolated autonomy which ultimately made slaves of them all.[2] This ancient lesson was strongly and continuously enforced on the colonists. The stern words in which Gadsden connected a refusal to unite with infamy, show the strength of the conviction of the popular leaders respecting union. In many ways, the public mind, especially through the press, grew familiar with the idea that the colonies were linked together in a common destiny.

I have alluded but cursorily to the passive resistance to the new policy by the non-importation agreement, and by fostering domestic manufactures, when the watchword was Frugality and Industry. Then Americans asserted, practically, the right of labor to choose its fields and enjoy its fruits; when even liberal thinkers advocated the most

[1] The following, from the "Massachusetts Gazette," Oct. 17, 1765, will show the way in which America as a country was referred to: —

"Phil. Oct. 3. We hear the stamp paper for this province is arrived in Capt. Holland, who lies at New Castle under the protection of one of his majesty's sloops of war. It is impossible to conceive of the consternation this melancholly news has diffused through this city. Rage, resentment and grief appeared painted in every countenance and the mournful language of one and all our inhabitants seems to be farewell, farewell, Liberty. America, America, doomed by a premature sentence to slavery! Was it thy loyalty — thy filial obedience — thy exhausted treasures — and the rivers of blood shed by thy sons in extending the glory of thy arms, provoked thy mother country thus unjustly to involve thee in distress, by tearing from thee the darling privileges of thy children? Or was it the perfidy? — But I cannot proceed, — tears of vexation and sorrow stop my pen. O my country, my country!"

[2] Grote's Greece, ed. 1862, iv. 24.

vexatious restrictions on industrial pursuits, and the old colonial system was so triumphant, that Chatham declared he would not allow a hobnail to be manufactured in America. Otis averred that "one single act of parliament had set people a-thinking, in six months, more than they had done in their whole lives before."[1] The thought was, that Americans might clothe themselves with their own hands, and be independent of a foreign supply. The members of the assemblies were urged to set the example. "I have in my younger days," wrote Dulany, "seen fine sights, and been captivated by their dazzling pomp and glittering splendor; but the sight of our representatives, all adorned in complete dresses of their own leather and flax and wool, manufactured by the art and industry of the inhabitants of America, would excite not the gaze of admiration, the flutter of an agitated imagination, or the momentary amusement of a transient scene; but a calm, solid, heart-felt delight."[2] The daughters of America entered into this movement with a spirit that gave inspiration to the cause, —a forerunner of the beautiful and noble service which, in the late civil war, they rendered not merely to their country, but to our common humanity. The details of this movement are voluminous. It was inculcated in prose and verse, as patriotism to use domestic manufactures, and thus "save a sinking land."[3]

[1] Rights of the British Colonies, 54.

[2] "Considerations on the Propriety of imposing Taxes on the British Colonies, for the purpose of raising a Revenue, by Act of Parliament. North America." The preface is dated Virginia. It was published Oct. 14, 1765. (McMahon's Maryland, 349.) It was commended in the journals as a masterly performance, by one of the most celebrated civilians on the Continent, who was educated in England, and bred at the Temple. It was by Daniel Dulany, of Maryland.

[3] Songs were early used to rouse the people to action. The "Massachusetts Gazette" of Oct. 31, 1765, has a song entitled "Advice from the Country," which was copied into the "Gentleman's Magazine" for December, as a "Song sung at Boston, in New England." One of the stanzas runs: —

"With us of the woods
Lay aside your fine goods,
Contentment depends not on clothes;

In this varied action — the riotous element of which was deplored by the sagacious patriots — there was revealed a sentiment in favor of union, which made the individuals of different colonies alive to each other's welfare. Its germs

We hear, smell and see,
Taste and feel with high glee,
And in winter have huts for repose."

The "Boston Evening Post" of Feb. 10, 1766, has a song entitled "America Instructing her Children; composed with the design of inspiring Sentiments of Frugality and Industry." The following is the beginning and ending: —

"Whilst raging winter ruled the year,
the earth lay hid in snow:
Deep in a cypress grove I heard
the voice of tuneful woe.
Led by the sound, I pierced the gloom
where stood an ancient Pine;
Beneath it sat an heavenly Dame,
her form was all divine.
An azure mantle starred with gems,
loose from her shoulders hung;
A golden harp shone in her hand,
whilst thus she played and sung: —
'What baneful power seeks to harm us,
where peace and solemn silence reigns!
Frightful omens all around us;
I hear the horrid clank of chains.
. . . . . .
Awake my sons and look around you,
rise up and save a sinking state;
'Tis Luxury, false Syren, wounds you,
rise soon, or you will be too late.
With nervous arm strike deep the *Whale*,
pluck *Codfish* tugging at your line;
Take the broiled *Mackerel* by her tail,
let Fops among *Tea-Trinkets* shine.
Let *Oxen* spread my valleys over,
drinking at the christel rills;
Whilst fleecy *Flocks* do nibble clover,
growing on my verdant hills.
Rise up my Daughters, light your tapers,
take the *Spinning-Wheel* in hand,
Your babes shall prattle how your labors
helped to save a sinking land.'
. . . . . .
The black North-wester sunk to silence,
ravished by so sweet a note;
The robin dropped his scarlet berry,
and in concert joined his throat."

and roots were seen even in the past of the diversity of the governments; in the attachment of each to similar political ideas and institutions, and a common determination to maintain them. Each claimed as an inheritance liberties secured in the common law as enforced in the declaration of the Great Charter and the Bill of Rights,[1] that were beyond the domain of king or parliament; and especially the two liberties that were assailed, — self-taxation, and trial by jury. This community of political ideas among the patriots is seen in the resolves of the village, of the colony, and of the congress. They asserted no more, no less, than the early colonists claimed under the two Charles's and James II. But the fathers were but few in number, and could only put forth their claims; their descendants, under George III., had become numerous, were united, felt strong, and they insisted on a recognition of their rights. This was done, however, in a spirit of loyalty to the British constitution. It was the belief and the hope of the popular leaders, that their unanswerable reasoning and their united attitude would procure a change of administration, and an abandonment of an odious policy; and that this would "perpetuate the sovereignty of the British Constitution and the filial dependence of all the colonies." [2]

The Americans believed their hopes were about to be realized, when the intelligence spread that the ministry had been changed, and the Rockingham Cabinet was in power. It was followed by the still more inspiring news that parliament had repealed the Stamp Act, which the king signed on the 18th of March, 1766. There was then a burst of joy. In England, William Pitt received an ovation. The king returned from Westminster to the palace

[1] Dulany, 27. He says, p. 11, of the opinions of court lawyers: "They have all declared that to be legal which the minister for the time has deemed to be expedient." He says that Republican was used as a nick-name, as applied to "the British inhabitants of North America;" because it implied that they were enemies to the government of England.

[2] Stephen Hopkins closes his pamphlet in these words.

amid the huzzas of the multitude. Bow bells were set a-ringing; the ships in the Thames displayed their colors; and London streets were illuminated. In America, the people overflowed with joy, and they expressed their gratitude in every form that could be devised; town vying with town, and colony with colony, in patriotic demonstrations. In both countries there was a general jubilee as for a great deliverance. Robertson, the historian, spoke the feeling of liberal minds in England, when he rejoiced that the millions in America would have the chances of running the same great career which other free people have held before them; and Samuel Adams expressed the views of his countrymen when he said that they blessed their sovereign, revered the wisdom and goodness of the British parliament, and felt themselves happy.

This, however, was not the interpretation which the Tories put upon the rejoicing in America. They represented it as exultation for a triumph over the sovereignty. A British official promptly said the sequel would be, "Addresses of thanks, and measures of rebellion."[1] This stupid judgment was in keeping with the charge, reiterated by the Tories during this period of opposition to the Stamp Act, that the colonies aimed at independence. This charge was pronounced by the colonists a stale pretence, entirely senseless and ridiculous, and almost beneath a serious refutation.[2] "We utterly deny," they said, "that such an intention ever entered into our hearts."[3] This denial is found in private letters, in the press, and in State papers. Samuel Adams, in an emphatic disclaimer, appealed to the affection entertained by the Americans for the mother country;[4] and James Otis averred "that British America would never prove undutiful till driven to it as the last, fatal resort

[1] William Knox, on the morning after the vote passed, said this to Mr. Grenville. Extra Official Papers, 2, 26.

[2] Boston Evening Post, March 25, 1765.

[3] Boston Post Boy, July 15, 1765.

[4] Letter, Nov. 13, 1765. Wells's Life of Adams, i. 101.

against ministerial oppression, which will make the wisest mad and the weakest strong." [1]

The patriots, however, were emphatic in declaring that America would use her strength to preserve her liberties; the facts already stated evincing the determination of the people, if need be, to take the field. Richard Henry Lee, in a remarkable letter, written as in a prophetic spirit, said, "The ways of Heaven are inscrutable; and frequently the most unlooked-for events have arisen from seemingly the most inadequate causes. Possibly this step of the mother country, though intended to oppress and keep us low, in order to secure our dependence, may be subversive of this end." [2] John Adams saw in the intention in the ministry an entire subversion of the whole system of the fathers of America, and the introduction of the inequalities of feudalism; and he held that to submit to slavery would be a sacrilegious breach of trust, as offensive in the sight of God as it would be derogatory to the honor, the interest, or the happiness of the people.[3] Richard Bland appealed to the laws of nature and the rights of mankind, and urged the

[1] Otis's Rights of the Colonies, 51. It was said, that the colonists, by fraud or force, would claim to be an independent legislature. Otis, in denying this, says: "This, I think, would be revolting with a vengeance. What higher revolt can there be than for a province to assume the right of an independent legislature or state."

[2] Letter, May 31, 1764.

[3] Boston Gazette, Oct. 21, 1765. This journal printed, Aug. 12, a communication without a title or a signature; and continuations of it in the issues of Aug. 19, Sept. 30, and Oct. 21. This paper was written by John Adams. It was copied into the "London Chronicle," and in 1768 printed by Almon, in a volume entitled "The True Sentiments of America," where it is termed "A Dissertation on the Canon and Feudal Law." It was subsequently reprinted under this title. — See John Adams's Works, iii. 447. The following is an extract from the last number: —

"Let us presume, what is in fact true, that the spirit of liberty is as ardent as ever among the body of the nation, though a few individuals may be corrupted. Let us take it for granted, that the same great spirit which once gave Cæsar so warm a reception; which denounced hostilities against John till Magna Charta was signed; which severed the head of Charles the First from his body, and drove James the Second from his kingdom; the same great spirit (may Heaven preserve it till the earth shall be no more) which first seated the great grandfather of his present most gracious majesty on the throne of Britain, — is still alive and active and warm in England; and that the same spirit in America, instead of provoking the inhabitants of that country, will endear us to them for ever, and secure their good will."

colonies to unite in a representation of their common grievances; and, as a part of the answer to the question "what should be done if justice shall be denied," said that injury and violence would render the colonies an alien, and pointed to the Helvetic Confederacy and the States of the United Netherlands as glorious examples of what "a petty people in comparison" could do when acting together in the cause of liberty.[1] Choiseul, Minister of the Marine of France, foresaw the struggle for independence, and in a memorial urged his sovereign to be prepared for the crisis.[2]

Meantime the prosperity and progress of the colonies continued to elicit foreshadowings of the future of America. Ezra Stiles, one of the gifted Americans of his age, anticipated the independence of his country, and said that there would be a provincial confederacy formed on free suffrage, which in time would grow into an imperial dominion;[3] Watson, Vicar of Yorkshire, in a sermon on American colleges, adopting the thought that all arts and sciences were travelling westward, speculated on what America would be as a powerful and independent state, — the school of Christian knowledge and of liberal science.[4] James Otis wrote

[1] Richard Bland, of Virginia, printed, early in 1766, a pamphlet, entitled "An Enquiry into the Rights of the British Colonies: intended as an answer to 'The Regulations lately made concerning the Colonies, and the taxes upon them considered.' In a Letter addressed to the Author of that Pamphlet." The writer of the pamphlet held "that the colonies should be prohibited from uniting in a representation of their general grievances" to the common sovereign. Bland replied as follows: —

"*Divide et impera* is your maxim in colony administration, lest 'an alliance should be formed dangerous to the mother country.' Ungenerous insinuation! detestable thought! abhorrent to every native of the colonies! who by an uniformity of conduct have ever demonstrated the deepest loyalty to their king as the father of his people, and an unshaken attachment to the interest of Great Britain. But you must entertain a most despicable opinion of the understandings of the colonists, to imagine that they will allow divisions to be fomented between them about inconsiderable things, when the closest union becomes necessary to maintain, in a constitutional way, their dearest interest."

[2] Bancroft, v. 361.

[3] 1760. Sermon on the Capture of Montreal, cited in "Duyckink's Cyclopedia," i. 159.

[4] 1763. The sermon was printed in England in 1763. Extracts were copied into the "Gentleman's Magazine" for May, 1783.

that the world was on the eve of the highest scene of earthly power and grandeur that has ever been displayed.[1] It was circulated in the press of England and of America, that the inhabitants of the colonies, at the least computation, numbered two millions; that in twenty-five years they would grow to four; in fifty years, to eight; in seventy-five years, to sixteen; and in a hundred years, to thirty-two millions, — a striking prospect of increasing population: and it was said, "Little doubt can be entertained, that America will in time be the greatest and most prosperous empire that perhaps the world has ever seen."[2]

[1] Rights of the British Colonies.

[2] A piece from the "London Gazetteer," Nov. 1, 1765, copied into the "Boston Evening Post," Feb. 10, 1766.

CHAPTER VI.

How the Assertion by Parliament, in the Townshend Revenue Acts, of Absolute Power over the Colonies, was met by a Constitutional Opposition, and how an Arbitrary Royal Order elicited Action in a Similar Spirit by Thirteen Assemblies, in Defence of their Local Self-Government.

1766 to 1770.

The sentiment of union, evoked by the attempt to carry out so much of the new policy as was developed in the Stamp Act, had a solid basis in the traditional attachment of the people of each colony to similar political ideas. The next embodiment of this policy in the Townshend Revenue Acts, designed to establish the principle that parliament had absolute power over the colonies in all cases whatsoever, was met by a constitutional opposition on the basis of social order, and occasioned a further development of the sentiment of union by inter-colonial correspondence; while an arbitrary royal order, designed to check a growing communion of the colonies, elicited action by thirteen assemblies' asserting rights inherent in local self-government, and served to fix public opinion as a power in the American political world.

Thoughtful minds questioned whether the repeal of the Stamp Act, "on European rather than American reasons,"[1] was worthy of the rejoicings that burst spontaneously, in full chorus, from the heart of a grateful people. The Repeal was accompanied by the famous Declaratory Act, that parliament had the right to bind the colonies in all cases whatsoever; and even its illustrious champion, William Pitt, asserted for parliament this right of governing, as emphati-

[1] Boston Gazette, May 5, 1766.

cally as he denied the right to tax.[1] It was said, however, that this act was but laying down an abstraction. Against it were the declarations of the thirteen colonies, that the people had inherent rights, and that the powers of the king and the parliament were limited by the Constitution. Some urged, that the new declaration might be, and ought to be, met by a fresh assertion, by each colony, of what it regarded as its rights.[2] But the appeals for a continuation of agitation against an abstraction proved of little account. The Sons of Liberty dissolved their association, and, in a great measure, ceased their operations.[3] The masses are moved more by feeling than by reasoning, and the paramount feeling was that of gratitude. It was said that the Repeal hushed into silence every clamor, and composed every wave of popular disorder into a smooth and peaceful calm. The colonies cheerfully and gratefully acknowledged their dependence on the crown of Great Britain.[4]

The Repeal was regarded by the king as a fatal compli-

[1] Pitt, in the debate in which he astonished the House with the declaration, "I rejoice that America has resisted," said, "It is my opinion that this kingdom has no right to lay a tax upon the colonies; at the same time I assert the authority of this kingdom over the colonies to be sovereign and supreme, in every circumstance of government and legislation whatever. . . . . Taxation is no part of the governing or legislative power. Taxes are a voluntary gift and grant of the commons alone." — Report in Massachusetts Gazette, May 8, 1766.

[2] The "Boston Post Boy" of Aug. 11, 1766, copied an elaborate paper, dated "Virginia, 20th of May, 1766," and signed "A British American," which covers the whole ground of the Repeal and the Declaratory Act. It urged that the latter should be expunged from the journals of parliament. It says, "We really consider ourselves as the same people with the inhabitants of Great Britain, and feel the same sentiments of joy or sorrow, on every acquisition or loss of our mother country, as if we still inhabited her happy island. . . . Will it be beneath the dignity of that august body (parliament) to expunge from their journals an entry fraught with such mischievous consequences?" "Algernon Sidney," in the "Boston Gazette," Aug. 18, 1766, in arraigning the Declaratory Act, says, "Let every House of assembly on the Continent assert those rights it is not in their power to alienate."

[3] Leake's Life of Lamb, 36.

[4] Diary of John Adams. Works, ii. 203. "There never was a time, since the first European set forth on this continent, wherein the colonies, from one end to the other, more cheerfully and affectionately acknowledged their dependence on the crown of Great Britain. Never were a people more in love with their king and the Constitution by which he has solemnly engaged to govern them." — Boston Evening Post, Sept. 14, 1767.

ance.[1] It proved only a pause in the attempt to carry out the new policy. Soon after, to the astonishment and sorrow of the liberal world, William Pitt accepted a peerage, and entered the House of Lords; when Charles Townshend became the leader of the House of Commons. He had wonderful ability, and was fully informed on American affairs; but was arrogant and imperious, and prized the smiles of the sovereign more than the friendship of the Earl of Chatham. He continued to favor the policy of remodelling the local governments, which he urged when a member of the Board of Trade. On the 3d of June, 1766, he spoke from the ministerial benches the following remarkable words: "It has long been my opinion that America should be regulated and deprived of its militating and contradictory charters, and its royal governors, judges, and attorneys be rendered independent of the people. I therefore expect that the present administration will, in the recess of parliament, take all necessary previous steps for compassing so desirable an event." After adducing the madness and distractions of America as his justification, he said, "If I should differ in judgment from the present administration on this point, I now declare that I must withdraw . . . I hope and expect otherwise, trusting that I shall be an instrument among them of preparing a new system."[2] The journals contained rumors that new measures were proposed for America, and among them were these, — that the governors had strict orders to prevent the assembling of another Congress; that the local governments would be remodelled; and that Great Britain would assert its dignity and sovereignty. Townshend became the master spirit of the cabinet that succeeded the Rockingham ministry. His speeches in support of violent methods, as one of his sympathizers expressed it, and urging "a different police founded on and supported by force and vigor,"[3] had a wide circulation. He

[1] Lord Mahon's Hist. England, vi., App. xlix.

[2] Bancroft has a manuscript report of this speech, vi. 10.

[3] Moffat's Letter, in "Boston Post Boy," Oct. 20, 1766.

urged the expediency of a revenue from America, and of using an army to collect it, saying that he voted to repeal the Stamp Act, not because it was not a good measure, but because Repeal was at that time expedient. He repeated the sentence, that the galleries might hear it; remarking, "After that, I do not expect to have any statue erected in America."[1]

These reports proved the forerunners of the Townshend Revenue Acts, the chief of which was introduced into parliament the 13th of May, 1767, received the royal assent the 29th of June, and was to go into effect on the 20th of November. These acts, in brief, imposed duties on glass, paper, painters' colors, and tea; established a board of customs at Boston to collect the revenue throughout America; and legalized writs of assistance. The preamble of the act imposing duties stated that they were laid for raising a revenue to provide for the support of civil government in the provinces, and for their general defence. It was designed that the governors, judges, and attorneys should be rendered independent of the local assemblies. The extent to which parliament interfered with these bodies was seen in the law suspending the New-York assembly from the exercise of the powers of legislation until it should comply with the act requiring it to provide quarters for British troops.

The new duties were imposed not on commercial grounds, but for political reasons; not to regulate trade, but for revenue and to assert British sovereignty. The scheme was thoroughly dissected by the press. Its aggression on the ancient self-government was pointed out. The line between external and internal taxation — between the spheres of the colonial or local and the imperial — was not clearly defined;

[1] The "Boston Evening Post" of May 4, 1767, has a letter dated London, Feb. 14, 1767, which says, "Taxing the colonies, in some shape or other, begins to be talked of." Another letter, Feb. 18, says, that the action of the New-York assembly, declining to comply with the act of parliament for quartering troops, caused it to be "generally said they are in a state of rebellion, and are endeavoring to throw off their dependence." The action of the Massachusetts assembly also gave great offence. A letter on this action was printed in the "Boston Post Boy," March 2, 1767.

yet it was the theory of the Whigs, that each colony, as an integral part of the nation, had a general assembly, which, though subordinate, was a free, deliberative body; and, while parliament had the right to make the laws for England, these assemblies, with the council, had the right to make the laws bearing exclusively on America; and that the king was the common executive, whose rightful prerogative was in force in each colony as it was in England.[1] This law-making power regulated "the internal police;" which meant, that it provided for the elective franchise, representation, trial by jury, the habeas corpus, the concerns of order, education, and religion. This power was the custodian of the municipalities; and they, in the fine words of Mirabeau, "are the basis of the social state, the safety of every day, the security of every fireside, the only possible way of interesting the entire people in the government, and of securing all rights."[2] Now the new scheme was regarded by Americans as more dangerous to their liberties than the Stamp Act, because it was an aggression on the old usages, grown into a right, of fashioning the "internal police." A British official, who knew America by personal

[1] Hutchinson, in a letter dated March 27, 1768, says, "The authority of parliament to make laws of any nature whatsoever in the colonies is denied with the same freedom their authority to tax the colonies has been for two or three years past. This is a new doctrine; but it spreads every day, and bids fair to be as generally received as the other." In a letter dated Aug. 27, 1772, he says, "Before America is settled in peace, it would be necessary to go to the bottom of all the disorder, . . . the opinion that every colony has a legislature within itself, the acts and doings of which are not to be controlled by parliament, and that no legislative power ought to be exercised over the colonies except by their legislatures." He termed this "the doctrine of independence of parliament." He said (Letter, Aug. 27, 1772), "For assemblies or bodies of men who shall deny the authority of parliament, may not all their subsequent proceedings be declared to be *ipso facto* null and void, and every member who shall continue to act in such assembly be subject to penalties and incapacities." This was a wanton misrepresentation of the position of the Whigs. The Massachusetts House of Representatives say, in a letter to the Marquis of Rockingham, in reference to parliament, "My Lord, the superintending power of that high court over all his majesty's subjects in the empire, and in all cases that can consist with the fundamental rules of the Constitution, was never questioned in this province, nor, as the House conceives, in any other." The patriots claimed only the right of self-taxation, and to make the local law.

[2] Cited by Thierry, in Hist. Essays. Phil. ed. 84.

observation, described the situation, politically, as he remarked, that the operation of the Stamp Act, on colonial ideas, "would have been by sap;" but the Townshend scheme "was attacking them by storm every day."[1]

The father of the new acts, Charles Townshend, died before they went into effect; and their execution devolved on Lord North, appointed chancellor of the exchequer. This character, so famous in American story, was thirty-five years of age; but this was not the time of his full entrance on the stage. The administration was living on the great name of the Earl of Chatham.[2] The business of the colonies had become so large, that the office of Secretary of State for them was created, which was filled by Lord Hillsborough. He was bland, and full of fair professions, but constantly aimed to strengthen the prerogative. He was the channel of communication with the colonies.

It was then said that "American liberty must be entirely of American fabric."[3] A new movement, as it was termed, began. The popular leaders enjoined the people to avoid mobs, confusions, tumults, — the terrible spirit of disorder that was a part of the action against the Stamp Act, and which was like the European popular action, — spasmodic, dangerous, and ruinous. This advice was given, in line upon line, in the press.[4] On the day the new acts went into effect, there was posted under "Liberty Tree," in Boston, a paper calling on the "Sons of Liberty" to rise and fight for their rights, and saying that they would be joined by legions. This incident drew from James Otis, the moderator of a meeting held in the town on that day, a spirited denunciation of mobs. He said, that, "were the burdens of the people ever so heavy, or their grievances ever so great, no possible circumstances,

[1] Knox's Extra-Official Papers, ii. 26.

[2] The king said this in a letter to the Earl of Chatham, dated Jan. 28, 1768. He was then in strict seclusion.

[3] Arthur Lee, in "Life of R. H. Lee," i. 62. The letter is dated London, 1767; but, as the "Farmer's Letters" are referred to, it should be 1768.

[4] Boston Gazette, Nov. 9 and 14, 1767.

though ever so oppressive, could be supposed sufficient to justify private tumults and disorders, either to their consciences before God, or legally before men; that their forefathers, in the beginning of the reign of Charles I., for fifteen years together, were continually offering up prayers to their God, and petitions to their king for redress of grievances, before they would betake themselves to any forcible measures; that to insult and tear each other in pieces was to act like madmen;"[1] This speech was printed in the newspapers, and was heartily indorsed. "Our cause," it was said, "is a cause of the highest dignity: it is nothing less than to maintain the liberty with which Heaven itself has made us free. I hope it will not be disgraced in any colony by a single rash step. We have constitutional methods of seeking redress, and they are the best methods."[2] The Whigs, with these views, entered upon the work of "defending the liberties of their common country."[3] Aiming to avoid any thing like insurrection, and repelling the idea of revolution, they unfurled their banner under the noble ægis of law. They based their action on social order. They hoped to build up their cause on the foundation of an intelligent public opinion. This was a new and an American method of political agitation.

The Whigs, in this spirit, aimed at concert of action. They did not fail to profit by such union as was reached in the Stamp Act, and they sought opportunities to cement and perpetuate it. When the air was full of rejoicing on account of the repeal, a learned divine of Boston, Jonathan Mayhew, in a note addressed to James Otis, proposed that the Massachusetts assembly should send congratulatory letters to the other assemblies on the favor-

[1] Boston Evening Post, Nov. 23, 1767. The entire report of this speech is in "Life and Times of Warren," 38.

[2] Letter written by John Dickenson, and addressed to Otis, dated Dec. 7, 1767. Extracts were printed in the "Boston Gazette," Jan. 25, 1768. The entire letter is in "Warren's History of the American War," i. 413.

[3] Boston Gazette, Jan. 25, 1768, — the beginning of Dickenson's Letter.

able aspect of things, expressing warm friendship, and a desire to cultivate union among them by all practical methods; remarking, that the communion of colonies, like the communion of churches, might be of great use, and that on some future occasion union might be the only means of perpetuating their liberties.[1] The benefit of keeping up a friendly correspondence among the patriots was urged in public meetings and in the press.[2] The appeals of the popular leaders have an elevation of sentiment so common and so continuous, as to constitute a feature of the revolutionary struggle. Thus "The Farmer's Letters," addressed to "The American People," — imbued with a sentiment of union — say, "You are assigned by Divine Providence, in the appointed order of things, the protector of unborn ages, whose fate depends on your virtue."[3]

The earliest movement, in reference to the new scheme, was a renewal of the non-importation agreement. At a town meeting held at Boston, Oct. 28, 1767, in which James Otis presided, statements were read to the effect, that one town, the past year, made thirty thousand yards of cloth; that Lynn turned out forty thousand pairs of women's shoes; that a circle of agreeable ladies had agreed to lay aside

[1] This letter is dated "Lord's Day Morning, June 8, 1766:" and commences, "Sir, — To a good man all time is holy enough, and none too holy to do good or to think upon it." It was printed by Mrs. Warren, in her "History of American War," i. 416.

[2] "With respect to North America in general, it is our advice and instruction that you keep up a constant and friendly intercourse with the other English governments on the continent; that you conciliate divisions and differences, if any be now subsisting, or should hereafter arise; ever preferring their friendship and confidence to the demands of rigorous justice without them." — Boston Instructions to the Representatives in Massachusetts Gazette, May 29, 1766.

[3] These letters, by John Dickenson, appeared first in the "Pennsylvania Chronicle and Universal Advertiser," printed in Philadelphia. Number one was printed Dec. 2, 1767; number twelve, Feb. 15, 1768. They were copied into other journals, and widely circulated in every colony. They were printed also in pamphlet form in America and in London. Letters of thanks were sent to their author. Thus the town of Lebanon, Conn., April 11, 1768, congratulated him as one born for the most noble and exalted purpose, and as having erected a monument that would transmit a grateful remembrance of the "Farmer" to the latest posterity. — Pennsylvania Chronicle, May 9, 1768.

the use of ribbons: and a subscription was started to promote economy, industry, and manufactures. The proceedings, under the heading "Save your money, and you save your country," were printed in the journals,[1] and made a great noise in England.

It was circulated in the newspapers, that, whenever "the cause of American freedom was to be vindicated," the province of Massachusetts Bay, "as it had hitherto done, must first kindle the sacred flame that must illuminate and warm the continent."[2] Its legislature came together in its second session, Dec. 30, 1767, in the Town House, or State House,[3] as it was then sometimes termed, — still standing at the head of State Street, then King Street. Several members of the Council and many of the House "appeared completely clothed in the manufacture of the country."[4] Thomas Cushing, of Boston, a merchant of liberal culture, and a patriot always in favor of a moderate course, was the speaker; and Samuel Adams, a poor man, a universally good character, and of rising influence as a popular leader, was the clerk. Among the members were Otis, whose brilliant intellect was entering its cloud; and

[1] The proceedings were printed in the "Boston Gazette," Nov. 2, and are copied into the "Pennsylvania Chronicle", Nov. 11. They are in the "Gentleman's Magazine" for December, 1767, and elicited (p. 620) a violent piece, calling on parliament to declare the combination illegal. It is pronounced a "daring attack on our commerce;" and it is said, "The enterprises of the Americans are now carried to such a point, that every moment we lose serves only to accelerate our perdition." This piece was copied by the American newspapers. The excitement which the Boston Resolutions occasioned, elicited from Franklin the paper entitled "Causes of the American Discontents" (see works of Franklin by Sparks, iv. 242), which had the motto "The waves never rise but when the winds blow." This was printed in the "London Chronicle" of Jan. 7, 1768, in the "Pennsylvania Chronicle" of April 25, and as a postscript to the collection of papers entitled "The True Sentiments of America."

[2] Boston Gazette, Jan. 25, 1768.

[3] The papers of some of the colonies are dated from "The State House." The petition of Delaware, Sept. 28, 1768, is so dated.

[4] Boston Gazette, Jan. 11, 1768. The issue of the 4th says, that the senior class at the University in Cambridge had "unanimously agreed to take their degrees, next Commencement, dressed altogether in the manufactures of this country, — a resolution which reflects the highest honor on that seat of learning."

John Hancock, a generous and steady patriot, whose personal services and great wealth were freely given to the cause. James Warren, of large revolutionary fame, represented the town of Plymouth; and Joseph Hawley, of rare singleness of purpose and integrity, was sent from Northampton, and was the politician of the largest influence from the western part of the province. The list of members shows many who are held in grateful remembrance.

On opening the session, Governor Bernard summoned the members of the House to the council chamber, but in his address to them, did not refer to the new acts. They were, however, read in the House, and referred to a committee on the state of the province.[1] They reported an elaborate letter written by Samuel Adams, to be sent to the agent of the colony in London, and intended for the ministers. During the discussion of it, running through several days, it was read eight times, and, having been amended, was adopted as embodying the sentiments of the House. This masterly presentation of the American question is too long to admit of an abstract. It reproduced the old argument respecting taxation. It claimed for the colonial assemblies, as the guardians of the rights and liberties of the people, the free exercise of powers of legislation within their limits as essential to secure to His Majesty's subjects in America the benefits of the Constitution. It urged that, without this freedom, a legislative body was incomprehensible, that there could be no essential difference between a legislature restricted and none at all; and that it would be a strange political phenomenon, should all laws, both of police and revenue, be made by a legislature at such a distance that the local circumstances of the governed could not be known by it. The letter claimed that the colonists were equally entitled with

[1] On the first day of the session, Dec. 30, 1767, ordered, that Mr. Speaker, Col. Otis, Mr. Adams, Major Hawley, Mr. Otis, Mr. Hancock, Capt. Sheaffe, Col. Bowers, and Mr. Dexter, be a committee to take under consideration the state of the province and report. — Journal.

all British subjects to the fundamental rules of the British Constitution as their grand security, and that these bounded and circumscribed the supreme legislature. Tested by these rules, the new acts were held to be unconstitutional. In asking for their repeal, the House disclaimed the most distant thought of independence.

The same committee reported letters to several noblemen in England, and a petition to the king, prepared by Samuel Adams. The most celebrated of these papers, the petition, was expressed in simple and beautiful terms. It contained the warmest sentiments of loyalty, duty, and affection; glanced at the origin and growth of the colony; spoke of the happiness of a people blessed with the rights of Englishmen; and, recognizing the supreme legislative power in all cases that could consist with the fundamental rights of nature and the Constitution, it averred that the power claimed for parliament to raise a revenue when it was utterly impracticable for the colonists to be represented in it, would leave them only the name of free subjects.[1]

It was next proposed, in the spirit of the prevailing sentiment of union, to inform the other assemblies of these measures; and the House voted, Jan. 22, to assign a time to consider the expediency of writing to the assemblies of the other colonies with respect to the importance of joining in petitioning his majesty. This was earnestly debated, and the proposition was at first rejected, on the ground that this would be equivalent to the call of a congress. But the

[1] The papers adopted by the House soon appeared in the newspapers. The celebrated letter addressed to Dennis De Berdt, dated Jan. 12, 1768, is in the "Boston Gazette" of April 4, and "Pennsylvania Chronicle" of April 18; and it was printed in London by Thomas Hollis, in a volume under the title of "The True Sentiments of America." See Wells's "Life of Adams," i. 172, on the authorship of it. The letter to the Earl of Shelburne, dated Jan. 15, is in the Boston papers of March 21; as is also the petition to the king, dated Jan. 20. The letter to the Marquis of Rockingham, dated Jan. 22, is in the "Boston Gazette" of March 28. The letter to the Earl of Camden, dated Jan. 29, is in the "Massachusetts Gazette" of April 4. The letter to the Earl of Chatham is in the "Boston Gazette" of April 7. The letter to Henry Seymour Conway, dated Feb. 13, is in the "Boston Post Boy" of March 28. The letter to the Lords Commissioners of the Treasury is in the "Boston Post Boy," April 4.

friends of the measure — and none were more indefatigable than Samuel Adams — urged that it was no more than exercising the right of correspondence. At length the vote was reconsidered, and a committee was appointed to prepare a communication to be sent to the other colonies. In a week, Feb. 11, they reported a letter, drawn up by Samuel Adams, which was adopted. The speaker was directed to sign it, and send it to the several assemblies on the continent.

This Circular Letter states that the House had taken into serious consideration the several acts of parliament and their consequences; and, in the view that all possible care should be taken that the several assemblies should harmonize with each other, it freely communicated their mind to their sister colonies, on a common concern, in the same manner as they would be glad to receive in return the sentiments of any similar assembly. Then the positions that had been taken, in the papers which had been adopted, were tersely recapitulated. The idea was disclaimed of being factious, disloyal, or having any desire of independence; and confidence was expressed that the other assemblies would be too generous to ascribe the letter to an ambition to dictate. The House said that they would consider it kind in them to point out any thing further which might be thought necessary, and that they acted in the belief that the united and dutiful applications of distressed Americans to the king, "their common head and father," would meet with his royal acceptance. The authors of this letter regarded it innocent, prudent, calculated to quiet the public mind, and to procure a reversal of an obnoxious policy. It was calm in its tone, imbued with a spirit of loyalty, respectful to sister colonies, and true to American ideas.[1]

[1] The spirit in which the speaker signed this letter may be seen in his own words, in a letter dated "Boston, July 13, 1768," and printed in the "American Gazette," p. 67. The Circular Letter was printed in the "Boston Gazette," March 14, 1768; and was reprinted in the Boston papers of June. It was copied by the newspapers in the other colonies. It is in the "Pennsylvania Chronicle" of July 11.

The "Boston Gazette" of Feb. 15, has an editorial relating the proceedings of the House of Representatives in which the Circular Letter is thus referred to: —

"Their committee have reported a Letter . . . communicating in decent terms their

The House, by a special committee, informed the Governor of the adoption of this letter, and stated that a copy of it would be laid before him as soon as a draft could be made, and copies also of other papers, if he should desire them. A few days after, he summoned the members into the council chamber, when, on proroguing the House, he delivered a speech, in which he sharply censured them for their doings, saying there were men to whose being everlasting contention was necessary, but that time would soon pull the masks off those false patriots who were sacrificing their country to the gratification of their passions. He laid aside this arrogance, as he spoke to the council, whom he commended for what he termed their uniform and patriotic conduct.

The Circular Letter elicited gratifying replies. The New-Hampshire assembly, by their speaker, Peter Gilman, gratefully acknowledged the communication, highly applauded its sentiments, regarded the union of all the colonies of the highest importance, but said that the period they would be in session was so short, they could only express the hope their successors would pursue the method adopted by Massachusetts; and they prayed the Lord of the universe to avert the impending evil, make way for the establishment of British liberty, and quiet every colony in an enjoyment of all its civil and religious rights. The House of Burgesses of Virginia, through their speaker, Peyton Randolph, applauded the Massachusetts assembly for its attention to American liberty; gave a summary of the sentiments embodied in the memorials they had adopted; characterized their local government as one under which the people had enjoyed the fruits of their own labor with a serenity liberty only could impart; not only disclaimed any intention of aiming at independence, but promised a cheerful acquies-

sentiments and proceedings, on this common concern; and to prevent the enemies of the colonies misrepresenting this measure, we are informed, the House has ordered a copy of the last-mentioned letter to be transmitted to Mr. Berdt, to be by him produced as necessity may require."

cence in the authority of parliament to make laws for preserving a necessary dependence and for regulating the trade of the colonies; and they not merely petitioned for a redress of grievances, but sent a circular to all the assemblies on the continent, inviting their concurrence. The New-Jersey assembly, by their speaker, Courtland Skinner, recognized the candor, spirit, and design of the Massachusetts circular; adopted the mode of action it suggested; expressed a desire to keep up a correspondence, and to unite with the colonies, if necessary, in further supplications to His Majesty to relieve his distressed subjects, and, in their petition to the king, disclaimed any intention of denying a subordination to parliament, or dependence on the crown; but earnestly averred that the most effectual way to strengthen the connection was by zealously striving to preserve in perfect vigor those sacred rights and liberties under the inspiring sanction of which the colony had become populous, flourishing, and valuable to Great Britain. The Connecticut assembly, by their speaker, Zebulon West, viewed the Circular Letter as proceeding from a hearty concern for the just rights, the common interest, and welfare of the colonies; regarded union in sentiment and practice as essential to success; was desirous to cultivate the strictest friendship with the neighboring colonies, and with none more than Massachusetts; and was confident that the united and dutiful supplications of the king's faithful and distressed subjects in America would meet with a kind and gracious reception. Three of these replies soon appeared in the newspapers.[1]

At this point in the communion of the colonies, the king appeared on the stage, and as a direct consequence of the

[1] The dates of the replies are as follows: New-Hampshire assembly, Feb. 25, 1768, printed in the "Journals of the House;" Virginia, May 8, in the "Boston Post Boy," June 27; New-Jersey, May 9, in the "Post Boy," June 27; Connecticut, June 11, in "Post Boy" of June 27. Explanatory letters were received from Alexander Wylly, speaker of the Georgia assembly, dated June 16; P. Manigault, speaker of the South-Carolina assembly, dated July 10; and Metcalfe Bowler, speaker of the Rhode-Island assembly, dated Aug. 5. These replies were cordial, and contained assurances that were subsequently made good.

course of the Tories. They represented that the Whigs meant to resist by force the execution of the revenue acts: in fact, that their real object was independence; and that British troops were required to prevent an insurrection in Boston, which might extend through the colonies. Governor Bernard of Massachusetts was conspicuous in this bald misrepresentation. He had the full confidence of Lord Hillsborough. He had also a relative at the head of the war department, Lord Barrington; and the correspondence between these two friends was voluminous and confidential, in which the progress of events in Boston was minutely described. Bernard characterized the Circular Letter as designed to pave the way for a confederacy, and calculated to inflame the continent; and, presented in this light, it naturally alarmed the ministers. Lord Hillsborough (April 15) laid it before the cabinet, where it was pronounced little better than an incentive to rebellion. The king, then giving unusual attention to American affairs, judged that the exigency required special measures; and, without any regard to the limitations of law, it was determined that one royal order should require the Massachusetts assembly to rescind its Circular Letter, and that another order should require the other assemblies to treat it with contempt, — imposing the penalty of dissolution in case of non-compliance with these orders. "I think," a British official said, "this measure will bring matters to a crisis very speedily; and if the colonies see this country is in earnest, they will presently make their option, and take the part of peaceable subjects in future." [1] The monarchical office was the most powerful political machine in Europe. In the colonies the king's name was a tower of strength; and hence this entrance of George III. into the arena added vastly to the interest and importance of the American question.

Meantime, the people of Massachusetts had elected a new assembly, containing most of the members of the last, and

[1] Knox, in Grenville Papers, iv. 298.

nearly all the popular leaders. It convened when events — driftings toward revolution — were creating intense excitement in this colony, and attracting more and more the attention of the other colonies. A British naval force was moored in Boston Harbor. It was the common report that an army was to be stationed in this town to overawe the citizens and execute the odious policy. The seizure of Americans by a press-gang from the ships, and of the sloop "Liberty," owned by Hancock, for a violation of the revenue laws, bred a riot, which occasioned one of those public meetings[1] in the spirit of fidelity to the cause of liberty, and yet under the law, which henceforward characterized the revolutionary history of Boston and of Massachusetts. Governor Bernard, in this case, dealt with a distressed community in a spirit of candor and conciliation, for which he met with grateful acknowledgments. While doing this, he received a despatch from Lord Hillsborough, terming the Circular Letter of the last House inflammatory, tending to create unwarrantable combinations, and to excite unjustifiable opposition to the authority of parliament; and containing the royal order for the assembly to rescind the resolution on which it was based, on the penalty of a dissolution in case of a refusal. Hence the Governor, June 21, sent to the House the following message: "I have His Majesty's orders to make a requisition to you, which I communicate in the very words in which I have received it. I must desire you to take it into immediate consideration, and I assure you, that your resolution thereon will have most important consequences to the province. I am myself merely ministerial in this business, having received His Majesty's instruction for all I have to do in it. I heartily wish that you may see how forcible the expediency of your giving His Majesty this testimonial of your duty and submission, is at this time. If you should think otherwise, I must nevertheless do my duty." The Governor sent only

[1] The "Life and Times of Joseph Warren," chap. iv., has a relation of the occurrences in Boston on this occasion.

the part of Hillsborough's despatch containing the requisition. This message placed George III. in a novel position before an American assembly.

There was no debate at this time; but the news of the message spread through the community, and in the afternoon, as the gallery[1] and both of the doors of the hall were open,[2] there were present great numbers of the citizens. The message was read again; when James Otis took the floor, and spoke two hours on public affairs. He named the king with respect, but arraigned with great severity the course of the ministry. He reviewed the past, extolled the times of the Commonwealth, and eulogized Cromwell. He cast the political horoscope, prophesied of the future, and hoped there would be another congress. He portrayed the character of the members of parliament, dwelling on the unfitness of many for their places. "We have now before us," he said, "a letter from Lord Hillsborough. From the style, one would conclude it to be the performance of a schoolboy. They are pleased in their wonderful sagacity to find fault with our Circular Letter. I defy the whole legislature of Great Britain to write one equally correct." He shewed that it would be impossible for the new House to rescind a measure of the previous House, which had been executed; and he exclaimed, "When Lord Hillsborough knows that we will not rescind our acts, he should apply to parliament to rescind theirs. Let Britain rescind her measures, or the colonies are lost to her for ever."[3] He spoke in an impas-

[1] On the motion of Otis, June 3, 1766, a gallery was opened "for such as wished to hear the debates;" the first instance, Tudor remarks ("Life of Otis," 253), of authorized publicity being given to legislative deliberations. A writer in the "New Hampshire Gazette," cited in the "Boston Gazette," Dec. 15, 1766, expressed his satisfaction at the opportunity he had of hearing the debates in the Massachusetts assembly, and hoped that the people of that colony "would soon have the same happy privilege of galleries."

[2] Bernard's letter, July 16.

[3] Bernard's letters of June 28 and July 16. The journal of the House, however, says, that, in the morning, the consideration of the message and papers was referred to the next day at ten o'clock. Bernard's letters are very minute. He says that he went every day to the council chamber, and his friends reported to him what was said and done in the House.

sioned vein, and then his tongue was as a flame of fire. This speech was one of the masterly efforts of the great orator.

The question occupied the minds of the House for nine days, during which the members were guided by a special committee,[1] and were inspired by the answers received from the other assemblies. The Governor, in a second message, communicated the threat to dissolve the House in case of non-compliance; in a third, he pressed a decision; in a fourth, he declined to grant a recess. He passed much time in the council chamber, watching the proceedings. On the 30th of June, the speaker informed the House that the committee were ready to report, when the gallery was ordered to be cleared; the door was locked and notice was sent to the council that the House was entering on a debate of importance. The door-keeper was directed not to call any member out, nor to let any messenger come in, until further orders. No reporter described the scene in this secret session. Thomas Cushing was in the chair, and Samuel Adams was the clerk. A letter addressed to Lord Hillsborough was read. It stated the origin and purpose of the Circular Letter; that the House was the representative of the commons of the province, as the British House was of the British commons; that perhaps no requisition from the throne, of the nature then made, had been known since the Revolution; and it expressed the hope that a petition to the king might not be deemed inconsistent with the British constitution, nor a Letter, acquainting their fellow-subjects with what they had done, be judged an inflammatory proceeding. The letter was read twice, adopted, and ordered to be sent to Lord Hillsborough. Then the question was put, "Whether this House will rescind the resolution of the last House which gave birth to their Circular Letter to the several houses of representatives and burgesses of the other

[1] The committee consisted of Mr. Speaker, Mr. Otis, Mr. Adams, Mr. Hancock, Col. Otis, Col. Bowers, Mr. Spooner, Col. Warren, and Mr. Saunders. Bernard (letter, July 16) says, they were "entirely of the most violent heads of the faction."

colonies on this continent." The vote was taken by yeas and nays, and was printed in the newspapers in the order of counties. Suffolk led in the negative, with the names of Otis, Cushing, Adams, and Hancock; Middlesex, with Barrett, subsequently in command in the fight at Concord, Prescott, and Gardner, the first treasurer in the provisional government; Essex, with the familiar names of Greenleaf, Phillips, and Gerrish; Worcester, with Bigelow, distinguished in civil walks, the Whitcombs, for service in the field, and Ward, the future commander of the American forces; Plymouth, with White, the Secretary of the Committee of Safety, and James Warren, the President of the Provincial Congress; Cumberland (Maine), with Preble; and other counties, with names held in grateful remembrance for large revolutionary services. Ninety-two answered nay, and among them were several who usually voted on the side of the administration,[1] while only seventeen answered yea. The House then adopted an answer to the messages of the Governor, saying that they regarded the Circular Letter moderate and innocent, respectful to the authority of parliament, and dutiful to the king; that they entertained sentiments of reverence and affection for both; that, should they ever depart from these sentiments, they must stand "self-condemned as unworthy the name of British subjects descended from British ancestors, intimately allied and connected in interests and inclination with their fellow-subjects, the commons of Great Britain;" that the resolution required to be rescinded was not then executory, but executed; that answers had been received to the Letter, which were in the public papers, and the world must judge of their proposals and purposes; that they, as subjects, claimed the rights of petition jointly and severally, of correspondence and of having a free assembly, and that the

[1] Bernard says (letter, June 28), "Among the majority were many members who were scarce ever known upon any other occasion to vote against the government side of a question."

charge of treason was hurled at some of the best blood of the province. After stating the vote refusing to comply with the royal command, they concluded: "In all this we have been actuated by a conscientious, and finally a clear and determined sense of duty to God, to our king, our country, and to our latest posterity; and we most ardently wish and humbly pray that in your future conduct your Excellency may be influenced by the same principles." [1] This action was in the spirit of fidelity to self-government manifested by a former Massachusetts assembly when it triumphantly resisted an illegal commission of Charles II.[2]

The Governor, early in the day, went to the council chamber to watch the proceedings of the House; but he says they kept locked up all the morning. The council were in session when the special committee appeared bearing the noble answer of the House, which was read; when the Governor immediately summoned all the representatives before him. "A fracas occurred," he says. "One of the council expostulated with me upon my calling up the House whilst the council was engaged in business, and was so indecent as to appeal to the House. I silenced him. Another gentleman interrupted. I stopped him also and proceeded to the prorogation." [3] The Governor thus closed the session. He dissolved the General Court the next day by Proclamation, which was formally published by the sheriffs in every county.

[1] "Boston Gazette," July 4, 1768, has the answer. The committee who carried it to the council were Col. Bowers, Major Fry, Mr. Greenleaf, Col. Saltonstall, and Brigadier Preble.

[2] See above, page 59. George Grenville, in the House of Commons, termed the king's order for the House to rescind the Circular Letter an unwarrantable stretch of power. — "Boston Evening Post," May 1, 1769. This was the view of Burke and Widderburne. — Bancroft, vi. 232.

[3] Bernard, July 1, 1768. His letters stated that the patriots were inaugurating a rebellion. The assembly petitioned the king for the removal of Bernard. The petition was reported, June 28, by a committee consisting of "Mr. Adams, Mr. Otis, Col. Otis, and Mr. Hancock, and has the following: —

"He has endeavored to persuade Your Majesty's ministers to believe that an intention was formed, and a plan settled, in this, and the rest of your colonies, treasonably to withdraw themselves from all connection with, and dependence upon, Great Britain and from their natural allegiance to Your Majesty's sacred person and government."

It was thus made known that the vital right of representation was to be enjoyed only on the condition of a servile compliance with an arbitrary royal instruction.

These proceedings created profound sensation in this colony and in other colonies. It was said that the question was the greatest which had ever occupied the attention of an American legislature; that the brave and virtuous behavior of the assembly in the sacred cause of liberty and their country gave general satisfaction; and that the vote not to rescind elicited as evident tokens of joy as were manifested on the fall of Louisburg or the conquest of Canada; and that the "Illustrious Ninety-Two" was the toast in all companies. "May the same noble zeal," a New-Yorker wrote, "spread itself from town to town and colony to colony, till we become united as one man in this glorious resolution, — never to surrender our inherent rights and privileges." [1]

And now the other royal order, requiring the assemblies not to notice the Massachusetts Circular Letter, appeared in the newspapers in a despatch sent by Lord Hillsborough to the Governor of Rhode Island. The despatch termed the Circular Letter an unwarrantable combination and a flagitious attempt to disturb the public peace, and the Governor was instructed to treat it with the contempt it deserved. Hillsborough recognized the proofs which the colony had repeatedly given of reverence and respect for the laws and of faithful attachment to the constitution; and he remarked that His Majesty expected it would give another proof by shewing proper resentment at that unjustifiable attempt to revive

[1] Letter dated New York, July 14, 1768. The "Boston Evening Post," July 4, says: —

"We cannot too much admire and commend the conduct of our House of assembly. Though threatened with immediate annihilation unless they complied with a requisition to rescind the resolution of a former House, they have, with a firmness and unanimity becoming the representatives of a wise and free people, asserted and maintained instead of giving up their rights and privileges; thus preferring the life of their country to their own political existence. The names, however, of the famous Ninety-Two will live for ever in the annals of America."

those dissensions which had operated so fatally to the prejudice of this kingdom and the colonies. This despatch [1] was first commented on as addressed only to the Governor of Rhode Island, but it proved to be a general circular to the governors; and it had the effect to put the king before all the assemblies in the same attitude as he stood in towards the Massachusetts House. It provoked severe comment. The patriots termed it an attempt to prevent a colony from uniting with the continent in all legal endeavors for the removal of general grievances, and a fresh proof of the necessity of a common union. They reasoned: "One would think that a joint supplication would meet with a more gracious reception than separate and different prayers. In public and joint worship of the Supreme Being, a special promise of a blessing is annexed. Is it not very strange, then, that the minister should attempt to make us believe that the recommendation of the principal government to the several legislatures in this remote part of the world, to join in beseeching our gracious Sovereign to consider and remove our griefs, is dangerous or factious? He might as well persuade us, that, in a time of pestilence or famine, a united supplication to Heaven to remove the calamity was an unwarrantable combination." [2]

The assemblies now had before them the Circular Letters of Massachusetts and Virginia communicated by the speakers, and the king's requisition to treat the Letter of Massachusetts with contempt, communicated by the Royal Governors, who enjoined a compliance with it in terms dictated by their judgment of their public duty. The action that followed strikingly illustrates the oneness of spirit and prin-

[1] This despatch, dated Whitehall, April 21, 1768, was printed in the "Boston Gazette," June 27, as a "copy of a Letter communicated to the Assembly of the Colony of Rhode Island on Saturday, the 18th inst." It was signed "Hillsborough." This despatch, the Circular Letter of February 11, the replies of Virginia, Connecticut, and New Jersey, and a relation of the proceedings of the Massachusetts House, are printed on the same day in one newspaper.

[2] "Boston Evening Post," July 18, 1768. The citation is from a spirited communication signed Roger Martyn, and dated Colony of Rhode Island, July 5, 1768.

ciple which animated the patriots and the development of the sentiment of union.

In Maryland, Governor Sharpe assumed an arrogant tone as he laid the king's requisition before the assembly, saying, that he flattered himself, in case such a Letter as he described had been addressed to the House, they would confirm the favorable opinion His Majesty entertained of his Maryland subjects by taking no notice of it. The House, in a high-toned and admirable reply, said: "What we shall do upon this occasion, or whether in consequence of that Letter we shall do any thing, it is not our present business to communicate to your Excellency; but of this be pleased to be assured, that we cannot be prevailed on to take no notice of, or to treat with the least degree of contempt, a Letter so expressive of duty and loyalty to the sovereign, and so replete with just principles of liberty; and your Excellency may depend that, whenever we apprehend the rights of the people to be affected, we shall not fail boldly to assert and steadily endeavor to maintain and support them, always remembering, what we could wish never to be forgot, that by the bill of rights it is declared, 'That it is the right of the subject to petition the king, and all commitments and prosecutions for such petitioning are illegal.'" The House said, in an answer to the Massachusetts Circular, that they felt obliged by a candid and free communication of sentiment by a sister colony on a point so interesting to the whole; that they coincided exactly with the opinions expressed as to the consequences of the new acts of parliament; and were persuaded of the necessity of harmonizing as much as possible in public measures for redress.[1]

In South Carolina, Governor Montagu enjoined the assembly to treat with contempt any letter or paper that appeared to have the smallest tendency to sedition; when the assembly assured his Excellency, that, should a communica-

[1] The Reply of Maryland, dated June 24, is in the Boston papers of July 11, 1768; also Gov. Sharpe's message and the answers of the assembly.

tion of such a character be laid before them, they would treat it with the contempt it deserved. The Governor then, in a message, specified the Circular Letter of Massachusetts, already before them, as of factious tendency. A committee, composed of such eminent men as Gadsden, Laurens, Rutledge, Lynch, and Pinckney, reported resolves declaring the circulars of Massachusetts and Virginia replete with duty and loyalty to His Majesty, respect for the parliament, affection for the mother-country, tender care for the preservation of the rights of His Majesty's subjects, and founded upon undeniable constitutional principles. Twenty-six members voted for these resolves. At eight o'clock the same evening, the Governor, by beat of drum, dissolved the assembly, when the general toast became, "The Unanimous Twenty-Six who would not recede from the Massachusetts Circular Letter." The speaker, in the name of the House, sent an answer to the Massachusetts assembly, courteously thanking them for their communication to their fellow-subjects and sufferers; and, transmitting the journal of the proceedings which caused their own dissolution, remarked, that the record must convince the impartial world that the House had acted with duty and affection to His Majesty, and at the same time had supported with firmness the rights they held under the Constitution.[1]

The assembly of Georgia was composed of twenty-five members, and eighteen were stanch Whigs. When the circulars of Massachusetts and Virginia were laid before the commons, they resolved that these circulars were not of a factious tendency, but were calculated to promote a

[1] The reply of South Carolina is dated Nov. 21, and is in the "Boston Gazette" of Jan. 9, 1769. The resolutions and other papers were printed in the issue of the 2d of January. The committee to petition the king were Capt. Gadsden, Mr. Lynch, and Mr. Rutledge. The "Gazette" says: "The assembly of South Carolina is pleased to say that it (Circular Letter) is 'founded on undeniable constitutional principles;' if so, it will be difficult to make it appear that it is calculated to encourage opposition to and a denial of the (just) authority of Parliament, which is always circumscribed by the Constitution."

justifiable union of subjects, who felt aggrieved, in lawful and laudable ways to obtain redress, and that they originated in a commendable and tender attachment to the natural rights of the American colonies. Governor Wright in vain warned them that this action tended to independence, and that this would bring ruin on America. They adopted a reply to the Massachusetts Circular, in which they entirely approved of the method it suggested for obtaining a redress of common grievances, and of the course of communicating an account of those measures to the other colonies. The arrogant tone of the Governor's messages and his dissolution of the House elicited severe comment from the press.[1]

In Rhode Island, the assembly, on receiving the Circular Letter, proceeded to act in accordance with its suggestions by preparing petitions. A letter from the speaker, in reply, gave a strong assurance that the assembly highly approved of the Massachusetts House, and thought their measures were worthy of a free people and perfectly consistent with that loyalty to His Majesty and regard for the British Constitution which had always distinguished the province.[2]

In Pennsylvania, the assembly considered the acts of parliament, and gave instructions to their agents in London to unite with the agents of the other colonies in efforts to effect their repeal. On receiving the Circular Letter, the assembly directed it to be entered on their journals. When the royal requisition to treat it with contempt was laid before them, with the declaration that the Governor, in case of refusal, was commanded to dissolve them, they resolved that by their charter they had the right to sit on their own adjournments, that the Governor had no right to dissolve them, and that they had an undoubted right to corre-

[1] The reply of Georgia is dated Dec. 24, 1768, and is in the "Boston Gazette" of March 6, 1769. Governor Wright's message and the resolves are in the "Massachusetts Gazette," Feb. 13. The "Gazette" of Feb. 6 says, that Wright's speech was as extraordinary as any speech that had appeared, with one exception.

[2] The petition of Rhode Island to the king is in the "Boston Post Boy," May 15, 1769.

spond with the representatives of the freemen of any of the colonies in America. They petitioned the king for a redress of grievances. A large public meeting in Philadelphia declared in favor of a cordial union of sentiment and measures with the other colonies, on which they said the happiness of the whole depended.[1]

In Delaware, the assembly asserted the right of correspondence, expressed their intention to co-operate with the other colonies, and, in a petition to the king, affirmed that if the British parliament could enforce obedience to every act of theirs imposing taxes, and deprive the assemblies of the power of legislation for differing with them in opinion in matters of legislation, the colonies would have not the shadow of liberty left.[2]

In New York, the freemen of the city, in a letter addressed to their representatives, regarded the despatch of Hillsborough, inhibiting the assemblies from answering the Circular Letter, as the most daring insult that was ever offered to any free legislative body; entreated them to answer the Letter in a respectable manner; and said that, as the unanimity it recommended to the colonies was their only bulwark and defence, any attempts to intimidate them from so glorious a purpose ought to be treated with the contempt and just indignation which they could not but excite in the minds of virtuous representatives of a free people. The assembly sent petitions to the king and the lords, and a remonstrance to the commons. It adopted a reply to the Circular Letter, in which it applauded the Massachusetts House for its attention to American liberty; and, in resolves, it declared that it had an undoubted right to correspond and consult with any of the neighboring colonies, or with any of His Majesty's

[1] Gordon Hist. Penn., 451–456. The proceedings of the public meeting of July 30 are in the "Boston News Letter," Aug. 15, 1768. The petition and memorial to king and parliament, dated Sept. 22, 1768, are in the "Massachusetts Gazette," Feb. 16, 1769.

[2] The petition of Delaware to the king is dated State House, Oct. 28, 1768, and was copied into the "Gentleman's Magazine" for 1769, p. 29.

subjects in any part of his dominions; and it chose a committee of correspondence.[1]

The North Carolina assembly returned a hearty answer to the Circular Letter, saying they were extremely obliged for it, should ever be ready to unite firmly with their sister colonies in every constitutional measure for the redress of grievances, cultivate the strictest harmony and friendship with their assemblies and interchange political sentiment.

When this patriotic letter was printed, it was said that the colonies were no longer disconnected from each other, but formed one body and were possessed by a common sensation.[2] The people manifested their approval of the doings of their representatives by votes of thanks, by joyful demonstrations and re-elections. County meetings and town meetings called for union, for a continuance of correspondence, and for a general congress, — in some instances towns pledging life and fortune in support of their American brethren.[3] In

[1] The reply of the assembly of New York, no date, the resolutions, and Governor Moore's message, are in "Boston Gazette" of Jan. 16, 1769. The reply is signed by Phillip Livingston. The petition to the House of Lords, dated Dec. 31, 1768, has the following: "That our colony legislatures are so numerous, is owing to the pleasure of the crown; and let it be remembered that the parliament stood by and saw their creation and rise without intimating the least disapprobation; nor was the present claim of the commons ever hinted till that melancholy case which gave birth to that fatal act which has proved so destructive of the general repose."

[2] The reply of North Carolina, dated Nov. 10, 1768, is in the "Boston Evening Post" of May 15, 1769, accompanied by the following remark: "The above letter completes the answers to our Circular Letter. The colonies, no longer disconnected, form one body; a common sensation possesses the whole; the circulation is complete, and the vital fluid returns from whence it was sent out."

[3] The town of Lebanon, Conn., on the 26th of September, 1768, expressed a hearty union with their brethren of Boston, and said that they would consider an attack on their liberties "in the same light as though we ourselves were the immediate sufferers; and, with a determinate, unalterable resolution and firmness, we agree to assist and support our American brethren at the expense of our lives and fortunes, should their welfare, which is so intimately blended with our own, demand the sacrifice." These resolves are attested by William Williams, town clerk, "Pennsylvania Chronicle," Oct. 17, 1768. The town of New London instructed its representative to take the most effectual measures to keep up a union with all the neighboring colonies. — Ibid., Oct. 24. The town of Windham, Conn., instructed its representatives, Oct. 10, to move for measures to bring about a general congress from the several English governments upon the continent. — Ibid., Oct. 31, 1768.

New York, the assemblymen, who had distinguished themselves by "supporting the rights and liberties of their country," were escorted through Broadway by a vast concourse with music and banners, and saluted by huzzas, — the Daughters of Liberty signifying their approval from the windows.[1] In Massachusetts, a convention of delegates from the towns, on the call of the selectmen, met in Faneuil Hall. It was a fine representation of the intelligence and patriotism of the province; and though the rash spirits were ready to rush to arms and oppose by force the troops ordered to be stationed in Boston, when they should arrive, yet they were wisely controlled, and the convention simply gave to public opinion its most august form. The general approval of the Circular Letter and the growing spirit of union filled the hearts of the Boston patriots with joy; so that Cooper and Adams said it was the most glorious day they ever saw.

This political action kept remarkably true to social order, carried on under the banner of law, was an unusual spectacle in the political world. England had not attained to the right of public meeting or the freedom of the press or publicity in the law-making body; in France, for a century and a half the people had not appeared on the public stage; and in Germany there was but a glimmer here and there of free discussion of political measures. In the colonies, Whig and Tory regarded this embodiment of public opinion as a new and powerful political agency. The Tory feared it more than he did the greatest disorders; for he saw that the sentiment thus put forth on the nature of government very often met with the approbation of the body of the people, and could not be counteracted.[2] The Whig, on subse-

[1] The relation says the brilliant appearance of the ladies at the windows, the number of principal inhabitants who graced the procession, and the regularity and good order with which the whole was conducted, exhibited one of the finest and most agreeable sights ever seen in this city. — Boston Post Boy, Feb. 17, 1768.

[2] Thomas Hutchinson to Lord Hillsborough, Oct. 19, 1768.

quently revolving the steps of progress towards the Revolution, viewed the spark in every American that blazed in the public meeting as "that almost divine spirit that evidenced the approach of an independent and free republic in America."[1]

At this time society was alive with politics. Two numbers now play a conspicuous part in private and public life: Forty-Five, the number of the "North Briton" which occasioned the arbitrary action in England against the press, and Ninety-Two, that of the Massachusetts vote against rescinding the Circular Letter. "Forty-Five" for years had been used in England to symbolize liberty; and when the Americans in London heard of the action of the Massachusetts assembly, their favorite toast became: "May the unrescinding Ninety-Two be for ever united in idea with the glorious Forty-Five."[2] These talismanic numbers were combined in endless variety in the colonies. Ninety-two patriots at the festival would drink forty-five toasts. The representative would have forty-five or ninety-two votes. The ball would have ninety-two jigs and forty-five minuets. The Daughters of Liberty would, at a quilting party, find their garment of forty-five pieces of calico of one color and ninety-two of another. Ninety-two Sons of Liberty would raise a flag-staff forty-five feet high. At a dedication of a Liberty Tree in Charleston, S.C., forty-five lights hung on its branches, forty-five of the company bore torches in the procession, and they joined on the march in honors to the Massachusetts Ninety-Two. At the festival, forty-five candles lighted the table and ninety-two glasses were used in drinking the toasts; and the President gave as a sentiment: "May the ensuing members of the assembly be unanimous, and never recede from the resolutions of the Massachusetts Ninety-Two." The Sons of Liberty of Massachusetts, in their celebrations, toasted "The assemblies on

[1] Boston Gazette, Jan. 27, 1777.
[2] Boston News Letter, Jan. 26, 1769.

this vast and rapidly populating continent, who treated a late haughty and merely ministerial mandate with all that contempt it so justly deserves." [1]

The proceedings growing out of the Circular Letter are certainly remarkable. The action of the king is in the spirit of Louis XIV., who, in his hunting dress and his great boots, with a whip in his hand, entered the French Parliament, saying: "The mischievous consequences of your assemblies are well known. I therefore order this, which is met to discuss my edict, to be now at an end." [2] The action of the assemblies is that of freemen knowing their privileges and duties. They concurred in a spirited assertion of the inherent rights of political discussion, of free interchange of thought, of an untrammelled legislature, — in a word, of their right to enjoy the national heritage of English law, not merely for themselves, but for their posterity ; and with the thought, as an inspiration, that they were acting not merely for their country, but for humanity. They asked that their municipal freedom and self-government, which were felt to be fountains of a rich public life, might be spared from the benumbing influences of centralization ; and thus that the public liberty developed on American soil, out of the roots of a grand historic past, might be respected as a sacred possession. This was the sum of their prayer to the Sovereignty ; or, in words often used, to the mother-country. The tone of affection in which they addressed her is as that of children, conscious of, and grateful for, the beneficent influences which the venerable parent casts around them as an invulnerable shield.

The memorials and petitions were delivered by the agents of the colonies into the hands of Lord Hillsborough. Ow-

[1] The following is one of the paragraphs that went the rounds of the newspapers: "America seems to have been very early concerned in the numbers 92 and 45. It was discovered in fourteen hundred and 92; and the inhabitants of San Salvador (the first land discovered) visited Admiral Columbus in their canoes, with 45 persons in each."

[2] Voltaire's Age of Louis XIV., ii. 2.

ing to various causes not needed to be dwelt upon here, reasoning which seemed conclusive, and loyalty urged with a fervid sincerity, proved of no avail. The petitions, it was said, were from a distempered and a delirious people. Some did not reach the royal ear. Some met with cold neglect. All were thrown in the faces of the colonists. The misrepresentations of unscrupulous politicians working for selfish ends, or of conservatives jealous of the republican idea, outweighed the noble appeals of millions of loyal subjects.[1]

The proceedings in Massachusetts attracted in England the greatest attention, elicited the severest comment, and, because a military force had been ordered to Boston to support the stand of the administration, created the greatest solicitude. The step of the assembly, in inviting union, was peculiarly obnoxious. Lord Mansfield thought its members ought to be summoned to England to account for their conduct. The king, on opening parliament, characterized the action of Boston as a subversion of the Constitution and evincing a disposition to throw off dependence on Great Britain. The indictment against the colonies was presented in sixty papers laid before parliament. Both Houses declared that the proceedings of the Massachusetts assembly in opposition to the revenue acts were unconstitutional, and derogatory to the rights of the crown and the parliament; that the Circular Letter tended to create unlawful combinations; that the call of a convention by the selectmen of Boston was proof of a design of setting up an independent authority; and both Houses proposed to transport the originators of the obnoxious proceedings to England for trial and condign punishment under the cover of an obsolete act of Henry VIII.[2] Some in England denounced this

[1] A spirited piece copied into the "Boston Gazette" of May, 22, 1769, from the "Maryland Gazette" of May 4, says "that the acts and misrepresentations of men in office have had greater weight than the humble and dutiful petitions and remonstrances of all the colonies, and the cries of four millions of loyal subjects."

[2] A copy of what was termed the substance of the Resolves passed by the House of Lords was printed in the "Boston Gazette" of March 20, 1769. The newspapers also printed the Act of Henry VIII., which was said to extend to America.

action as in the spirit of despotism. It was said that the soberest men began to be alarmed; that they ruminated on the scenes of the last century;[1] and that the bloody axe of Henry VIII. had been scoured up and whetted for the necks of the poor Americans.[2] The momentous question of England and her colonies was the subject of diplomatic correspondence, and was the talk in Madrid, in Paris, and at every court in Europe.[3]

The king's speeches, the parliamentary documents, and the debates and a flood of letters circulating broadcast in the American newspapers, revealed the hot temper of England, and filled the colonies with indignation. Tory officials added to the bitterness by calling the Whigs deceivers and hypocrites, who said they only opposed an administration when they aimed at independence, — who professed loyalty, but were plotting rebellion. This charge was a severe strain on the nerves of honest men. A single sentence will show how their muscles quivered as they met the insulting allegation. "It is enough to make a man's bones crack that, when the manly, fair, dispassionate arguments of the colonists in support of their rights and privileges remain totally unanswered, every mushroom upstart and petty officer of the revenue should cry out rebels and traitors."[4] The stir was so general, the passions were so roused, and the Whigs were so unanimous, that it was said in the press: "Throughout the wide extended settlements of America there is hardly to be found an American who is not determined to die a freeman."

The administration determined to make an example of Massachusetts, as the ring-leading province in political mischief, by transporting its popular leaders to England to be tried for their lives in the king's bench. Such was the pur-

[1] Letter from London in "Boston Evening Post," June 26, 1769.

[2] "London Public Advertiser," Jan. 15, 1769, copied into "Boston Evening Post" of Aug. 21.

[3] Bancroft, vi. 182.

[4] Boston Gazette, June 26, 1769.

port of an elaborate despatch which Lord Hillsborough sent to Governor Bernard, directing an inquiry to be instituted into the conduct of any persons who had committed any overt act of resistance to the laws. This step was the occasion of a flood of reports contained in letters printed in the newspapers.[1] Thus a great issue was created that affected all the colonies; for the proposed action touched the individual unit of society. Because this was man, it had rank and position on American soil which power was bound to respect. The word now was that Massachusetts or Boston represented a common cause and ought to be sustained.[2]

There was no adequate step taken to meet the threatened aggression until the House of Burgesses of Virginia convened in May. This colony, in opposing the administration, was co-equal with Massachusetts in guilt or in merit; but while the bayonet was pointed at the one, blandishment was devised for the other,—it being a cardinal object of the government to divide the colonies, and thus paralyze their efforts. Many years had elapsed since a governor had resided in Virginia; and the selection of Lord Botetourt, with the understanding that he should live in the colony, it was supposed would be so pleasing that it was termed a measure for reconciling America.[3] He was fresh from the closet of

[1] Boston Gazette, April 17, 1769.

[2] The following from the "Boston Evening Post," April 3, 1769, will give an idea of matter circulated in the newspapers:—

"Williamsburg, Va., Feb. 23. Extract from a London letter dated Nov. 9, 1768. During the debate in the House of Commons, on the king's speech, doctrines were mentioned that would set America in flames, if they were admitted, by N——th, C——rl, and B——n. These were to govern America by military force, seize Otis (whose name was frequently mentioned) and all the leading men in Boston, and everywhere else, who opposed their measures, bring them here and hang them. The Ministry are violent against us. . . . I think all America should be swallowed up in an earthquake, if they do not stand by Boston; for if that fall they will in a short time: they must share the same fate. And let this be the American political creed, that a firm, steady, and determined union, and constitutional opposition, will be the surest safeguard from any violence from hence."

[3] Whately, in Grenville Papers, iv. 331.

the king, where he had been a groom of the bed-chamber, and though characterized by Junius as a cringing, bowing, sword-bearing courtier, yet was urbane, and as governor evinced good sense, was really friendly to the colony, and won the general good-will. His speech to the Burgesses was complimentary, but no more than just to their loyalty, and contained assurances of the royal favor. A reply in the same spirit was so satisfactory to the Governor, that, in a rejoinder, he said that he could not wish a word of it altered. He was so complaisant as, in the course of two days, to receive at his table, with an elegant hospitality, all the Burgesses. Though he executed firmly the order of his superiors, he managed to retain the good-will of the Virginians to the day of his death; and they erected a monument to his memory.

The Burgesses included in their ranks illustrious men; for Richard Henry Lee, Patrick Henry, Peyton Randolph, Archibald Carey, and Washington, were of their number; all of whom were in former assemblies. Thomas Jefferson, at the age of twenty-six, was a member for the first time. He fitted for college in the classic schools of two Episcopal clergymen; had two years' training in Williams and Mary and read law with George Wythe, who was his friend through life and introduced him to the bar. He took an office in Williamsburg, soon had a large and growing practice, and attained high rank in the profession he loved. His manners were elegant, and his conversation was fascinating. He had hunted on his native hills, travelled as far north as New York, and had met Elbridge Gerry, of Boston. He was a hard student in the fields of literature and science, and already was a philosopher and a man of the world. He was of so lovable a nature that his family and intimate friends seemed to idolize him. His uncommon legal erudition broadened rather than narrowed his mind. He drew from the wells of the noble parliamentarians of the age of the Commonwealth, became a disciple of the republican school,

and had a living faith in its idea. He also had a faith in humanity that never wavered. He aimed to secure for it law that should deal out equal and exact justice to all men, and he sought to lift all men up to their native dignity by life-long labor in the cause of education. His fidelity in applying principle appears in his courageous and wise work in early assailing the laws of primogeniture, entails, and the established church. This fidelity, with practical statesmanship, carried him to the head of a powerful party who gave him their love and confidence. He had the rare faculty of compressing political ideas into a small compass, which were accepted by a political school as its current platform; and this enabled him to wield an influence over his countrymen larger and longer than fell to the lot of any other American. He began his remarkable career by introducing into the House of Burgesses a bill to give the owners of slaves the right to manumit them, and by throwing himself with ardor into the American cause, which from this time had the benefit of his felicitous pen.

It was the report among the Burgesses that the Governor would be gratified if they would maintain silence on political questions. The popular leaders, however, had revolved the grave issue that had sprung up, and came prepared to play a great part. They adopted a series of resolves declaring that the sole right of imposing taxes on the inhabitants of the colony was constitutionally vested in the House of Burgesses, with the consent of the Council and His Majesty, or his Governor for the time being; that it was an undoubted privilege to petition the Sovereign, and procure the concurrence of the other colonies; that all trials for treason ought to be conducted in the courts of the colony, and that the seizing of any persons suspected of crime, and transporting them to places beyond seas, would deprive them of the inestimable privilege of being tried by a jury from the vicinage; and that a dutiful and loyal address be presented to His Majesty to beseech him to quiet the minds of the inhabitants

of that colony, by averting the dangers and miseries that might ensue from the seizing and carrying beyond sea any person residing in America, to be tried in any other manner than by the ancient mode of proceeding.[1] These resolves were calm in manner, concise, simple, and effective, and so perfect in form and substance that time finds no omission to regret and no improvement to suggest.[2] They were viewed by one of the Burgesses as nothing more than a necessary and manly assertion of social privileges founded in reason, guaranteed by the English Constitution, and rendered sacred

1 The Resolves were passed May 16, 1769. They are in the "Pennsylvania Chronicle" of June 5, and in the Boston papers of June 8. They are as follows, copied from the "Chronicle:" —

Resolves of the House of Burgesses, passed the 16th of May, 1769.

Resolved, *Nemine Contradicente*, That the sole right of imposing taxes on the inhabitants of this His Majesty's Colony and Dominion of Virginia is now, and ever hath been, legally and constitutionally vested in the House of Burgesses, lawfully convened, according to the ancient and established practice, with the consent of the Council, and of His Majesty, the King of Great Britain, or his Governor for the time being.

Resolved, *nemine contradicente*, That it is the undoubted privilege of the inhabitants of this colony to petition their Sovereign for redress of grievances; and that it is lawful and expedient to procure the concurrence of His Majesty's other colonies, in dutiful addresses, praying the royal interposition in favor of the violated rights of America.

Resolved, *nemine contradicente*, That all trials for treason, misprision of treason, or for any felony or crime whatsoever, committed and done in this His Majesty's said colony and dominion, by any person or persons residing therein, ought of right to be had, and conducted in and before His Majesty's courts, held within his said colony, according to the fixed and known course of proceeding; and that the seizing any person or persons residing in the colony, suspected of any crime whatsoever, committed therein, and sending such person or persons to places beyond the sea to be tried, is highly derogatory of the rights of British subjects, as thereby the inestimable privilege of being tried by a jury from the vicinage, as well as the liberty of summoning and producing witnesses on such trial, will be taken away from the party accused.

Resolved, *nemine contradicente*, That an humble, dutiful and loyal address be presented to His Majesty, to assure him of our inviolable attachment to his sacred person and government; and to beseech his royal interposition, as the father of all his people, however remote from the seat of his empire, to quiet the minds of his loyal subjects of this colony, and to avert from them those dangers and miseries which will ensue, from the seizing and carrying beyond sea any person residing in America, suspected of any crime whatsoever, to be tried in any other manner than by the ancient and long established course of proceeding.

The following order is likewise in their journal of that date: —

Ordered, That the speaker of this House do transmit, without delay, to the speakers of the several houses of assembly on this continent, a copy of the resolutions now agreed to by this House, requesting their concurrence therein.

2 Bancroft, vi. 280.

by the possession of two hundred years.[1] But Lord Botetourt looked on them as abominable, and dissolved the House.

The speaker, Peyton Randolph, sent the resolves to the other assemblies, accompanied by a brief Circular Letter expressing a belief that the importance of the subject would be sufficient to engage immediate attention, and that the circumstances of America would evince the propriety of the action of the Burgesses.[2] This generous action, spread through the colonies in the newspapers, elicited expressions of admiration and gratitude. A North-Carolina patriot wrote: "Don't you think the Virginians behaved like men?"[3] A Philadelphia patriot exclaimed: "Noble conduct! I hope every assembly on the continent will concur."[4] A New-York judgment ran: "The resolves breathe that noble spirit of freedom and inflexible firmness for which Virginia has been justly celebrated ever since the beginning of our troubles with Great Britain."[5] And it was said in Boston, "Joy and gladness are printed on the countenances of all the friends of liberty. 'The brave Virginians' is a toast throughout New England, where the people bear them the most affectionate regard."[6] Well might there have

[1] Letter of Richard Henry Lee, May 31, 1769.

[2] Randolph's Circular was in the Boston papers of June 8, 1769.

[3] Letter in newspapers dated Edenton, N.C., June 22, 1769.

[4] John Dickenson's Letter, June 22.

[5] Massachusetts Gazette, June 15.

[6] Letter printed in Philadelphia, dated June 26. "The Journal of the Times" was the title of a series of papers prepared in Boston, but printed originally by John Holt, in New York, and extensively copied into the newspapers. They extend over many months. Under the date of June 16, 1769, it had the following:—

"The late resolves of the Virginia assembly are regarded with veneration. They do great honor to themselves and give spirit to the other colonies. We see in these the same sense of justice, value for the constitutional rights of America, the same vigor and boldness, that breathed through the first resolves of that truly honorable house, and greatly contributed to form the free and generous spirit in which the colonies are now one. There is a peculiar generosity in the resolve, relating to the revival of the severe and obsolete statute of Henry VIII., by the late extraordinary resolutions of parliament,—as this was pointed not directly against themselves, but another colony. Massachusetts ought long to remember this obligation, and as common sense dictates

been this gratitude; for Virginia invited all the colonies to make common cause with Massachusetts when king and parliament had laid a heavy hand upon her, and the presence of an army and a fleet attested that complete submission was decreed as her lot.

The assemblies, as they convened, responded heartily to the Virginia resolves. The assembly of Delaware, the earliest to act, did it by reiterating their sentiment.[1] Some of the assemblies, as those of North Carolina, Rhode Island, and New York, adopted the Virginia resolves entire; others, as in the case of Massachusetts, added resolves dictated by their local condition; others, as in Maryland, altered the phraseology. The assemblies agreed in essentials. The harmony was so inspiring that it was said, "The whole continent from New England to Georgia seems firmly fixed: like a strong, well-constructed arch, the more weight there is laid upon it the firmer it stands; and thus with Americans, the more we are loaded the more we are united."[2] Thus grandly was the ægis of the inchoate union cast over the personal liberty of Americans. Thus fixed was the determination to claim as a birthright trial by jury.

When Lord Botetourt dissolved the House of Burgesses, the members immediately went to Anthony Hay's residence, chose Peyton Randolph moderator, discussed the situation, and decided to unite into an association to carry out the non-importation agreement. On the next day articles sub-

that each colony should feel for its neighbors under those severities to which all are exposed, there will, there must be, a reciprocation of such kind of obligations and grateful sentiments through all the colonies, to the disappointment and confusion of those who wish to divide and enslave us."

[1] A letter dated Newcastle, Pa., May 19, will show the spirit of the time. "In consequence of a letter from the speaker of the late House of Burgesses of Virginia, enclosing their resolves, the House of assembly here took into consideration the advice given to His Majesty by the Houses of Parliament for the seizing and carrying over any person from America to England that may be obnoxious to the king's ministers, and the House thought fit to adopt the Virginia Resolves in spirit as well as sentiment, which, if done in other governments on the continent, will be the best evidence of unanimity that can be given." — Pennsylvania Chronicle, June 26, 1769.

[2] Massachusetts Gazette, Nov. 13, 1769.

mitted by Washington were adopted and signed, — his name being near the head of the list. The journals circulated these proceedings;[1] and thus this patriotic movement received a powerful impulse. It had been ridiculed and opposed by the Tories when proposed in the time of the stamp act; and, on its revival to meet the new revenue acts, it had not been generally adopted, even by the Whigs. Neither persuasion, threats, nor personal violence could bring the Tories to accede to it. They alleged that to stimulate domestic manufactures would draw off labor from husbandry and the fisheries; that the combination was illegal, a defiance of Great Britain, and tended to produce a breach between her and the colonies.[2] The Whigs in some quarters were backward in entering into it. Thus, because in Rhode Island they hesitated, this colony was held up in the press as a plague spot; and patriots refused to deal with its inhabitants.[3] After the decisive action of the Burgesses, the Whigs pressed the movement vigorously; assemblies thanked the merchants for their patriotism in adopting it;[4] colony after colony, including Rhode Island, entered into it; and when it was adopted by North Carolina, it was said: "This completes the chain of union throughout the continent for the measure of non-importation and economy."[5] It was

[1] The articles of association and signatures were printed in the "Philadelphia Chronicle" of June 5th, 1769, and are quite elaborate. One was, not to "import any slaves or purchase any imported after the fifth day of November next, until the said acts of Parliament are repealed." They were drawn up by George Mason, and sent by him in a noble letter to Washington. — Sparks's Writings of Washington, ii. 356.

[2] Timothy Ruggles, Feb. 29, 1768, "Reasons for not voting for Resolves in Massachusetts Assembly."

[3] The "Boston Gazette," Oct. 9, 1769, had an extract from a letter written in New York, which says: "It is currently reported here that all intercourse with Rhode Island is nearly shut up, as if the plague was there, as we will neither sell to them or ship them any goods, nor receive any from thence, nor suffer them to sell any in this province." It was stated in the newspapers in February, 1770, that the merchants at Philadelphia and New York had agreed to renew their trade with Rhode Island.

[4] The assemblies of Connecticut and New Jersey passed resolutions in October, 1769, which are in the "Massachusetts Gazette," Nov. 2 and 9.

[5] Letter dated Dec. 15, 1769, in "Massachusetts Gazette," Feb. 1, 1770. "Thus are the colonies at last all happily united. It now remains for the patriots to improve this union to the best advantage," &c.

patriotism not to use certain European articles of luxury, not to import slaves or to buy them of importers. It was patriotism to grow flax and wool, to spin and weave, to make clothes and wear them. Ingenuous youth received the honors of their Alma Mater, and legislators appeared in their halls, clothed in American apparel. The Daughters of Liberty vied with each other in their spinning-matches and homespun gowns.[1] Such attire was of more lustre than all the gems that sparkle in the mine, for it spoke fidelity to a just cause. The American saw in this harmony a proof that "all the colonies had the same ideas of liberty." The saying was current in London that industry and economy were universal in America, where the farmer strutted in homespun and cast an indignant look at the meanness of soul that hoped for superior distinction by indulging in the manufactures of a country that exulted in enslaving the colonies.[2]

The ministers postponed the design of altering the American constitutions. Lord North, in April, 1770, based a motion for a partial repeal of the Townshend Revenue Act on the petition of the merchants of London, and urged the abolition of the duties on glass, paper, and painter's colors, on the ground that they were uncommercial, while he justified the retention of the duty on tea as necessary to assert the supremacy of parliament. Such was the judgment of the king who held that "there must always be one tax to

1 "Williamsburg, Va., January 3, 1770. On Wednesday evening the honorable speaker and gentlemen of the House of Burgesses gave a ball at the capitol, for the entertainment of His Excellency, Lord Botetourt; and it is with the greatest pleasure we inform our readers that the same patriotic spirit which gave rise to the association of gentlemen on a late event was most agreeably manifested in the dress of the ladies on that occasion, who, to the number of near one hundred, appeared in homespun gowns; a lively and striking instance of their acquiescence and concurrence in whatever may be the true and essential interest of their country. It were to be wished that all assemblies of American ladies would exhibit a like example of public virtue and private economy, so amiably united.

"Not all the gems that sparkle in the mine
Can make the fair with so much lustre shine."

Massachusetts Gazette, Feb. 12, 1770.

2 Piece in newspapers, under the head of "London, Aug. 16, 1769."

keep up the right."[1] Hence the Act was repealed (April 12, 1770) only in part. The Declaratory Act, asserting the right to legislate for the colonies in all cases whatsoever, and the tax on tea, remained on the statute book.

The popular leaders regarded this partial repeal as insidious and unsatisfactory,—settling nothing and boding evil. They urged a rigid adherence to the non-importation agreement as the most effectual method to obtain a redress of grievances. Above all, they commended union as absolutely essential to the salvation of America.

The attempt of the ministry to check the republican element, to abridge English liberties in America, had the effect to throw the colonists back on themselves; to move them to reflect on the scope and tendency of the ideas they had applied, on the institutions they had reared and the position they had attained; and to reveal the fact that there were marked differences on fundamentals between the views held by the statesmen in England and in America. A striking illustration of this fact is seen in the view taken of ordinary legislation. The ministry were united on the point that when an act was passed in parliament and approved, it became a part of the Constitution;[2] while in America it was reasoned that unless some power existed in a free State superior to the House of Commons, and which no power could destroy, the idea of a constitution was a nullity;[3] and the power specified was the law embodied in Magna Charta, the Bill of Rights, and the Act of Settlement. This reasoning familiarized the American mind with the thought that public liberty required the establishment of a body of organic law, which should be the rule of action of the agents chosen periodically to administer the affairs of government; and it shews the progress that was going on in political science.

[1] King to Lord North, in Bancroft, vi. 277.

[2] De Berdt, Aug. 29, 1768 (Bradford's State Papers, 162), says the whole ministry were united on this point.

[3] Piece in the newspapers, 1769.

This veneration for the free principles of the British Constitution was accompanied with the warmest expressions of loyalty to the crown. The popular leaders, so far from desiring to divide the empire, averred that they could not justly be suspected of the most distant thought of independency, would refuse it if it were offered to them, and would deem it the greatest misfortune to be obliged to accept it.[1] There is no valid ground on which to question their sincerity in these declarations. They knew that they did not deal with the question of sovereignty, and did not mean that their opponents should force them to do it. Their loyalty, however, did not imply passive submission to the arbitrary commands of the king, nor did their respect for the Constitution imply acquiescence in the decisions of administrative majorities when they violated fundamental rights. The treatment of the free assemblies, the proposed transportation of Americans, in direct violation of trial by jury, were viewed as the illegal acts and purposes of the party in power; and were resisted with the spirit of freemen.

Propositions continued to appear for a union of the colonies. Pownal reasoned that the train of events must establish either a British or an American union; and he argued that it was not more necessary to preserve the several governments subordinate in their several spheres than it was essential to the preservation of the whole empire to keep them disconnected and independent of each other.[2] A plan termed "a new model" found favor with the New-York politicians;

1 Letter of Massachusetts assembly, Jan. 12, 1768, in "Bradford's State Papers," 124, 143. The "Boston Post Boy" of May 1, 1769, has the Petition of the New York General Assembly to the Lords spiritual and temporal in Parliament assembled, signed Phillip Livingston, speaker, which has the following: "If disloyalty to the crown, want of affection to Great Britain, or a desire of independency, had the least influence upon our minds, no words could sufficiently express our ingratitude and our folly. But, my Lords, we are neither so foolish nor ungrateful. We can appeal to the omniscient Searcher of hearts, for the most inviolable fidelity to His Majesty, an utter abhorrence of a disunion with Great Britain, and a cheerful submission to her supremacy, in every instance of authority essential to the common safety of the empire."

2 Pownal's Administration of the Colonies, 4th ed., 1768.

and the assembly of that province invited each colony to elect representatives clothed with power to meet and legislate for the whole. The House of Burgesses responded to this suggestion by choosing delegates to such a body.[1] It did not, however, meet with general favor. Secretary Oliver broached the plan in Massachusetts; but Dr. Cooper wrote that the body of the people were for the old establishments, under which they had grown and flourished, and viewed the project as calculated to create a condition like Ireland.[2]

A union movement by the Presbyterians was regarded by the Tories as of great importance. It was held by the crown lawyers that the supremacy of the crown in ecclesiastical affairs extended to the colonies, and that it was not lawful for the clergy to assemble, as in a synod, without a royal license;[3] and since the movement of 1725 there had been none called.[4] On the breaking out of the present troubles, several Presbyterians of Philadelphia, in a circular, stated that, though numerous, yet they were considered as nobody, or of very little weight or consequence; and submitted a plan whereby they might act as one body whenever they might be called upon to defend the civil and religious liberties and privileges they enjoyed, or to obtain any of which they might be abridged. The immediate result of this movement was a union between the congregations of Pennsylvania and Delaware, which extended through the southern provinces; so that in Philadelphia, in 1765, an annual synod began its session without a royal license. "Men of sense and foresight," alarmed at so formidable a confederacy, brought about by letters "buried in studied secrecy," obtained possession of these letters; and in 1769 they were printed in New York, when they elicited sharp discussion. A Tory review of the rise of the Revolution gives

[1] Bancroft, vi. 316.
[2] Samuel Cooper to Governor Pownal, Jan. 1, 1770.
[3] Chalmers's Opinions of Eminent Lawyers, 50.
[4] See above, p. 121.

this movement the honor of being the mainspring of the opposition to the government.[1]

At this period, the prophecies concerning the future of America multiplied. Thomas Hutchinson wrote that the natural increase of population was so great, it was probable in a few generations a mighty empire would be formed on this continent.[2] The consequences that might grow out of such an empire, with continued union with Great Britain, were glowingly dwelt upon. "Never," William Livingston wrote, "was there such a Phœnix state. Liberty, religion, and science were on their wing to these shores. The finger of God pointed to a mighty empire. The mother and her sons would again be collected in one house, and in proportion to the abatement of national glory in Europe would be the brightness of its resurrection in America. The day dawns in which the foundation of this mighty empire is to be laid by the establishment of a regular American Constitution. All that hitherto has been done seems to be little beside the collection of materials for the construction of this glorious fabric. 'Tis time to put them together. The transfer of the European part of the great family is so swift, and our growth so fast, that before seven years roll over our heads the first stone must be laid."[3] Here a union and constitution

[1] The "Pennsylvania Chronicle" of Sept. 25, 1769, has the Circular Letter, dated Philadelphia, March 24, 1764, and the "Plan or Articles," copied from the "New-York Journal," Sept. 14, 1769. Both were printed by Galloway in his "Historical and Political Reflections," London, 1780. He says that the Presbyterians throughout the colonies, after 1725, aimed to unite their churches: "To form these into one religious as well as one political body, was, therefore, the first measure pursued by this congregated faction, after they found themselves freed from the embarrassments and dangers of Indian and French incursions," p. 48.

[2] Preface to the Collections, 1768.

[3] "The American Whig, No V.," in "New-York Gazette," April 11, 1768, a series of papers attributed to William Livingston. They, with the replies they elicited, were published in a volume. The words in the text are from pp. 57, 58. The volume is entitled "A Collection of Tracts from the late Newspapers," &c., containing "The American Whig," "A Whip for the American Whig," with some other pieces on the subject of the residence of Protestant Bishops in the American colonies, and in answer to the writers who opposed it, &c. New York: 1768. In one of the Tracts, a Son of Liberty remarks that the public mind was concerned to

were foreshadowed that were to be in harmony with allegiance to the crown.

The progress of events, however, suggested more accurate prophecy. Samuel Adams said that he desired the union with Great Britain to continue; yet he reasoned that in the natural course of things the policy of the ministry must alienate the affections of the colonies from the mother-country, and he speculated on the consequences that might ensue from American independence. French agents — one was Baron De Kalb — sent over to watch the progress of events observed the cold indifference with which Canada and its dependencies viewed the efforts of the patriots, and reported that they were the only parts of English America that were perfectly quiet;[1] but they were so impressed with the aspect of other parts, they wrote home that, unless the mother-country desisted from her course, the independence of the colonies was certain to take place.[2] The French ambassador in London held frequent interviews with Franklin. Illustrious Frenchmen now uttered remarkable prophecies. Durand, the minister at London, felt assured that the colonies would soon form a separate State.[3] Chatelet, his successor, witnessing the determined stand of the king and the ministry, predicted that the day of separation was not far off, and that it must necessarily have the greatest influence on the whole political system of Europe.[4] Turgot saw with joy the prospect of an event which, more than all the books of philosophers, would dissipate the sanguinary phantom of commercial monopoly, separate all America from Europe, and make its discovery truly useful to mankind.[5] Choiseul, the pre-

know "whether we are a nation of generous freemen or of despicable slaves." — p. 48. Another gives the following statistics: "In all New England there are but eleven Presbyterian congregations; whilst there are thirty Quaker churches, thirty-nine Anabaptists, about fifty Separatist churches, about eighty congregations of the Church of England, and five hundred and eighty-six Congregational meetings." — p. 430.

[1] De Witt's Jefferson and the American Democracy, 379.

[2] Ibid., 382. De Kalb, in a letter dated Jan. 15, 1768.

[3] Cited in Bancroft, vi. 169. [4] Ibid., 245. [5] Ibid., 370.

mier, sagaciously interpreting the signs of the times, planned a treaty of commerce to offer America, with the view of hastening this result.[1]

The movement elicited by the Townshend Revenue Acts resulted in a settled public opinion and conviction by a free people, as to the nature and value of their rights. This was embodied in the utterances of public bodies and the press. Many were circulated in the journals and in pamphlets in England, and the ability they evinced elicited high praise. It was said to be a common remark in London that "they were written in a style not to be equalled in any part of the British dominions."[2] Many were translated and circulated on the continent. "All Europe," Franklin wrote, "is attentive to the dispute between Britain and the colonies: our part is taken everywhere."[3] Generous tributes from abroad flowed in upon the patriots. A London letter reads: "Your late conduct is noble indeed: every ray is splendid with asserted right and vindicated freedom."[4] Another wrote: "The whole Christian world owe you much thanks. The star rising out of your wilderness will become a great luminary and enlighten the whole earth."[5] A Paris letter, urging a continuance of the "noble struggle for liberty," runs: "I imagine I see illustrious statesmen, eloquent orators, wise historians, and learned philosophers rising up among you,

[1] Bancroft, vi. 169.

[2] London letter, Jan. 19, 1769, in the newspapers.

[3] Franklin's Works, vii. 470. Letter, April 14, 1770.

[4] Massachusetts Gazette, Oct. 19, 1769. Letter from London, Aug. 3.

[5] A letter dated London, July 23, 1770, printed in the "Boston Evening Post" of Sept. 17, 1770, says: —

"The voluntary recess of your virtuous and brave ancestors from the scenes of tyranny and corruption which the reign of the Stuarts had spread over this kingdom, and the colonies and churches which they established on your continent upon the more glorious principles of catholic Christianity, I cannot but consider as a most important event, by which very happy fruits, which are now (though amidst heavy storms) ripening for the signal benefit of the whole Christian Church. For that noble stand you have made in the cause both of civil and religious liberty, the whole Christian world owe you much thanks. The star rising out of your wilderness will, I trust and pray, become a great luminary and enlighten the whole earth. May your patience and fidelity continue steadfast to the end."

whose generous souls have espoused the interests of humanity, and are spreading the blessings of liberty throughout the world around them."[1] These praises, circulated by the press, might be read in every home in America. They could hardly fail to strengthen the conviction of the patriots that their stand for liberty and law was appreciated,—that it would be approved by the wise and good, and that they would be justified in maintaining it at every cost.

In the tribute just cited, it is said that the patriots had embraced the cause of humanity. It is averred that the word mankind, to signify brotherhood, never passed the lips of Socrates, Plato, or Aristotle;[2] and that the idea of human equality was thoroughly ignored by society in the pagan world.[3] But the word and the idea were in common use in speaking of the movement germinating in America. The earliest utterances of the patriots are inspired by the thought that Providence had set them to defend the rights and liberties of mankind;[4] and in their proud day of triumph they said, Let it be remembered that it has ever been the pride and boast of America that the rights for which she contended were the rights of human nature.[5] Their noble array of utterances warrant the remark that they viewed "mankind toiling and suffering, separated by oceans, divided by language, and severed by national enmity, yet evermore tending under a divine control towards the fulfilment of that inscrutable purpose for which the world was created, and man placed in it, bearing the image of God."[6] Native gifts developed in labors in behalf of such a cause. Men thus grew in stature; each colony had its roll of honor, and said and did things that made a mark on the age. One great name,

[1] Letter from Paris, in "Massachusetts Gazette," Aug. 27, 1770.

[2] Max Müller's Chips from a German Workshop, ii. 5.

[3] Above, p. 6.

[4] This was the language of the Boston press before the Stamp Act. Life and Times of Warren, 35.

[5] Address of Congress, April 26, 1783, drawn by Madison.

[6] Max Müller, Chips, &c., ii. 5.

in particular, was gathering lustre. Washington was active on the political stage, destined soon to be

> —— "Among the sons
> Of fame well known, bright as the morning star
> Among the lesser lights; a patriot skilled
> In all the glorious arts of peace and war."[1]

[1] "Rising Glory of America," spoken at the commencement of the college in New Jersey, Sept. 25, 1771; in "General Advertiser," London, Feb. 14, 1778, the following is an extract from this poem: —

> "The mind prophetic grows, and pierces far
> Through ages yet unborn. We saw the states
> And mighty empires of the East arise,
> In swift succession from the Assyrian
> To Macedon and Rome; to Britain thence
> Dominion drove her car. She stretched her reign
> O'er many isles, wide seas, and peopled lands.
> Now, in the West, a continent appears;
> A newer world now opens to her view;
> She hastens onward to the Americ shores,
> And bids a scene of recent wonders rise:
> New states, new empires, and a race of men
> High raised in glory; cities and people
> Numerous as sand upon the ocean shore.
> Th' Ohio then shall glide by many a town
> Of note; and where the Mississippi stream,
> By forests shaded, now runs weeping on,
> Nations shall grow, and states not less in fame
> Than Greece and Rome of old: we too shall boast
> Our Alexanders, Pompeys, heroes
> That in the womb of time yet dormant lie,
> Waiting the joyful hour for life and light."

In the copy in the "Advertiser" of 1778, Washington's name occurs in the citation in the text, but does not occur in the original printed in Philadelphia in 1772. It was written by Phillip Freneau, and the title-page of the pamphlet of 1772 has Seneca's "*venient annis.*"

CHAPTER VII.

How the Patriots advanced from an Embodiment of Public Opinion to a Party Organization, by forming Committees of Correspondence.

March, 1770, to August, 1773.

The patriots, in dealing with the Stamp Act and the Townshend Revenue Acts, developed elements of union, which had gathered strength beneath the diversity that characterized the colonial age; and thirteen communities embodied in their varied action common convictions on political ideas, and so were prepared for a general organization. When the ministry attempted to carry out their policy by arbitrary Royal Instructions, the patriots formed committees of correspondence, and thus organized the party which achieved the American Revolution.

The successive British administrations, since the beginning of the controversy of the colonies with the mother-country, had been composed of members of several parties; but at length the Tory party attained power, as it ruled England, with brief intervals, for half a century.[1] It was imbued with low views of human nature, high-toned principles of government, unsound doctrines of political economy, and a disposition to stretch the prerogative and to gratify the pride of dominion. Out of its ranks George III. formed a cabinet "to deal with Wilkes and America." The premier, Lord North, about forty years of age, was a scholar of elegant taste, of eminent ability as a debater, and had administrative talents which qualified him for his place. He voted for the Stamp Act and against its repeal, and was the

[1] Earl Russell's Essay on the English Government. Introduction, Ed. 1865.

first to move the expulsion of Wilkes. One of his sayings then circulated in the press was, that he never could acquiesce in the absurd opinion that all men were equal; another, that the question between England and her colonies was no less than sovereignty on the one side and independence on the other,[1] when simple justice by England might have adjourned, at least for years, all thought of independence.

The Tory party, in partially repealing the Townshend Revenue Acts, only paused in the execution of the Bute policy. It was fully embodied in the Declaratory Act of 1766, that the king's majesty, with the advice of parliament, had, and of right ought to have, full power to make laws of sufficient validity to bind the people of America in all cases whatever, — "a resolution," Lord Chatham said, "for England's right to do what the Treasury pleased with three millions of freemen."[2] It was also embodied in the tax on tea retained to keep up the right. The party, and indeed Englishmen generally, looked upon Americans as inferiors, whom England had the right to rule, and use for her benefit; and to question this was to insult the sovereignty.[3] The Secretary for the colonies was the Earl of Hillsborough. He said in debate, as to the past, that "it had been the object of every administration since the reign of Charles II. to endeavor to establish a civil list in America independent of the assemblies;" and he frankly declared, as to the future, that "a republican spirit prevailed through the colonies, which every administration must discourage."[4] It might

[1] Lord North's speech, in "Massachusetts Gazette," Oct. 22, 1770.

[2] Chatham's Correspondence, ii. 365.

[3] "Every Englishman considers himself as king of America, and peculiarly interested in our subjection." — Boston Gazette, Sept. 17, 1770. Lord Chatham said that Americans must be made to obey the laws of England. "If you do not make laws for them, let me tell you, my Lords, they do, they will, they must make laws for you." — Sparks's Franklin, vii. 468. Franklin said: "Every man in England . . . seems to jostle himself into the throne with the king, and talks of our subjects in America."

[4] The "Massachusetts Gazette" of Sept. 3, 1776, has a report of Hillsborough's speech in parliament, delivered May, 1770.

have been wise to have simply aimed to render the imperial authority independent in its proper sphere, while leaving the local authorities free to act in their spheres, just as the officers of the United States are independent of the State and municipal authorities; but the object of putting the civil list on a new basis,—arrogantly avowed from ministerial benches, and steadily pursued by the men in power,—was to repress the republican spirit, by shaping the local governments according to English ideas. Thus the minister aimed to impose a polity on a people, instead of recognizing and protecting the polity developed by them, and which was a natural outgrowth. Such a purpose was war on their dearly prized local self-government; and it was prosecuted in the same spirit of persecution of the liberal element in America which characterized the course of the party in England. It was as suicidal a policy as it would be for an American administration to aim at impairing the municipal liberties, which are perennial fountains of a noble public life. On this object the vigilant eye of patriotism kept steadily fixed.

The ministers, in carrying out this policy, now resorted to an extraordinary use of Royal Instructions, which, for three years, played an important part in American politics. A rule of action, to meet a current question in England, was concisely stated in the following terms: "The law is above the king; and the crown, as well as the subject, is bound by it as much during the recess as in the session of parliament; because no point of time nor emergent circumstance can alter the Constitution, or create a right not antecedently inherent. These only draw forth into action the power that before existed, but was quiescent. There is no such prerogative in any hour or moment of time as vests the semblance of legislative power in the crown."[1] This

[1] See the remarkable speech in "Parliamentary History," vol. xvi. p. 259. Franklin, Jan. 13, 1772, relates a conversation he had several years before with Lord Granville, who said that the king's instructions, when received by the governors, were the laws of the land; "for the king is the legislator of the colonies." — Sparks's Works of Franklin, vii. 550.

doctrine seems to have been accepted by the American Whigs; for their utterances are imbued with the sentiment inculcated by the school of Locke, that the freedom of a people under government is to have standing rules to live by, so that the government may be one of laws, and not of men.

Without much regard to this rule, or indeed to any law, the ministers, after the repeal of the Townshend Acts, issued to the governors a series of extraordinary instructions. They came under the king's sign manual, with the privy seal annexed. It was said that officials could not refuse to execute them without giving up the rights of the crown.[1] A set was not framed to apply to all the colonies alike, but special instructions were sent to each colony as local circumstances dictated. Hence the patriots could not create a general issue on them. They have been termed a new set of measures determined on to prevent American Independence. The first instruction was adopted in the Privy Council on the 6th of July, 1770.[2] This may be fixed on as the time when Royal Instructions began their mission.

In framing these instructions, little, if any, regard was paid to customs, forms, and prejudices in the colonies as old as their existence, which had become unwritten law, and were therefore, at least, worthy of consideration. The first instruction sent to Massachusetts ordered Castle William to be garrisoned by the king's troops, when the charter of the colony expressly provided that it should be garrisoned

[1] The Censor, Dec. 22, 1771, p. 18. This was a periodical to which Lieutenant Governor Oliver, Thomas Greenleaf, and other loyalists, contributed; published by E. Russell, Boston. The first number is dated Nov. 23, 1771, and the last May 2, 1772. It defended the policy of the ministers.

[2] Bancroft (vi. 369) states that this order to garrison Castle William was the beginning of "the system of measures to prevent American Independence." The same order directed that His Majesty's ships should rendezvous in the harbor of Boston. It was said by this act "ministers had declared war against Boston." Lord Chatham termed the intelligence sent to him "a most melancholy piece of information." — Chatham's Correspondence, iii. 468. The execution of the order caused great excitement.

by the provincial militia. The instructions required the dissolution of assemblies; their removal to unusual places of meeting, as in South Carolina to Beaufort,[1] and in Massachusetts to Cambridge; negatived arbitrarily the choice of speakers; provided for the maintenance of local officers: and thus entirely ignored the local legislation for the support of government, and even directed the executive to refuse his assent to tax-bills because they taxed the officers of government.[2] Similar in effect was an extraordinary use of the prerogative; as in Maryland, where the governor assumed by proclamation to revive a law regulating fees of officers which had expired by limitation, in this way asserting the right to levy taxes; as in North Carolina, where royal officials assessed enormous fees, and imprisoned the citizens on slight evidence or none at all. In Rhode Island, the commander of the British schooner "Gaspee" made a general seizure of the vessels engaged in trade in Newport Harbor, and committed other outrages. Royal Instructions required the colonies to desist from their opposition to the slave-trade. The ministry seemed bent on giving full force to the Declaratory Act, and governing the colonies in all cases whatever; and their arbitrary practices grated harshly on a people habituated to the ways of freedom.

These practices were manfully, and in general successfully, met. In some cases they provoked deeds of violence. The rapine and extortion practised in North Carolina drove an oppressed people to insurrection, and hence the war of the Regulators.[3] The insolence of the commander of the

[1] A writer in the "South Carolina Gazette" of Sept. 15, 1772, says: "There has been no assembly to do business for a long time. The last was called, and after sitting three or four days was abruptly dissolved. Now another is called at Beaufort, upwards of seventy miles from the capital, at a place where no assembly ever sat before."

[2] The "Boston Gazette" of July 8, 1771, has this instruction, called the 27th: "It is our will and pleasure that you do not for the future, upon any pretext, give your consent to any law or laws" by which these officers were taxed.

[3] The "Boston Evening Post" of Nov. 12, 1770, has an account of the Regulators.

"Gaspee," in Rhode Island, led to an enterprise that effected her destruction. The Executive Proclamation, in Maryland, divided the colony into two parties, which continued their struggle down to the Revolution; and in opposition to it were Charles Carroll, Thomas Johnson, William Paca, and Samuel Chase.[1] In Georgia the rejection of the speaker was regarded by the assembly a breach of the privileges of the House, and as tending to subvert the most valuable rights and liberties of the people.[2] The infamous instruction on the slave-trade elicited a remarkable petition from the Virginia Burgesses to the king, in which that commerce was represented as inhuman; and it was urged that unless it were checked it would endanger the very existence of His Majesty's American dominions.[3] In brief, the claim that the king's instructions had the force of law, or that the people were under a personal government, was everywhere contested. Its nature and tendency were exposed in papers issued by public meetings, by general assemblies,[4] and the press, often marked by keen analysis and strong reasoning. Indeed, the vein of Americanism was so wide and deep, that, outside of official circles, these instructions had scarcely more than quasi-defenders. For even the Tories would con-

[1] McMahon's Maryland, 380. The Proclamation was issued May 26, 1770. From this date to the Revolution, other subjects gave way to this engrossing topic.

[2] The commons elected Noble Wimberly Jones three times their speaker unanimously, and the choice was three times negatived, when he declined. Archibald Bullock was then chosen, and the record made that he was elected only because Jones declined. The Governor said: "If this record is to stand on your journals, I have no choice but to dissolve the assembly." The House replied: "Our third choice of Noble Wimberly Jones, Esq., as our speaker, was not in the least meant as disrespectful to His Majesty, or you as his representative, nor thereby did we mean to infringe on the just prerogative of the crown." "Massachusetts Gazette," June 11, 1772, has the documents at length.

[3] The "Massachusetts Gazette," Oct. 8, 1772, has the address of the House of Burgesses to the king on the slave-trade. They pray for the removal of those restraints on His Majesty's governors which inhibit their assenting to such laws as might check so pernicious a commerce.

[4] The Massachusetts House of Representatives, June 19, 1771, protested "against all such doctrines, principles, and practices as tend to establish either ministerial or even Royal Instructions as laws within the province." — Massachusetts Gazette, June 20, 1771.

cede that the colonists might justly claim and expect as great a degree of legislation among themselves as would consist with the maintenance of the supremacy of parliament, and the general good of the whole;[1] while the Whigs, conceding the supremacy of parliament in its sphere, held that the proper degree of legislation embraced all matters of a domestic nature, and especially taxation; indeed, that the privileges of the commons or the assemblies, in their sphere, were, "to all intents and purposes, as full, express, and uncontrollable within the colony as those usually exercised by the commons of Great Britain within the realm,"[2] the legislation of the assemblies and the parliament being alike subject to the revision of the king. In these assemblies the people, composing the political unit called the province and the commonwealth,[3] made the laws and moulded their polity; and when instructions, set forth as rights of the crown, were used to levy moneys, support government, and administer justice, it was natural that they should have been looked upon as war on the old self-government. It was said in Virginia that "the ministry had substituted discretion for law, and set the principles of the Constitution, which should be fixed and free, afloat upon the merciless and fluctuating sea of arbitrary will."[4] It was said in Massachusetts "that the king, by his mere will, had created a clandestine, capricious, and destructive mode, couched under the specious umbrage of Royal Instructions." It was said in Pennsylvania that the practice tended to set aside the assemblies.[5] "Not to oppose," Arthur Lee wrote,

[1] "Chronus," a Tory writer, in "Massachusetts Gazette," Jan. 9, 1772.

[2] Boston Instructions, in "Boston Gazette," May 6, 1773.

[3] The use of the term "Commonwealth" (see p. 59) was early censured. Franklin writes, June 8, 1770 (Works, vii. 476): "The colonies originally were constituted distinct States." The places where the assemblies met were sometimes termed "State House."

[4] Life of Arthur Lee, i. 248.

[5] Among the able papers of this period is a letter sent by the committee of merchants of Philadelphia to the committee of London merchants. It averred: —

"That all Americans concurred in the sentiment that the prosperity of the colonies depended on their connection with Great Britain, and that there could not be a greater

"this most pernicious system, would be crime; to oppose it unsuccessfully, would be misfortune only." The colonial judgment on this insidious phase of centralization was as intelligent as it was just.

Meantime word had gone through the colonies to adhere to the non-importation agreement, as the best means to procure a repeal of the tax on tea, and a redress of grievances; on the ground that this would distress the commerce of England and aid the opponents of the administration. Fidelity to this agreement came to be looked upon as vital to the salvation of the cause,—in fact, as a test of patriotism. "Let us be united," a Philadelphia broadside runs: "the eyes of all Europe, nay, of the whole world, are fixed upon us."[1] In general, the patriots carried out the agreement in good faith; but the Tories, and selfish men among the Whigs, would not respect it, when personal violence was used to compel its observance. Its enemies charged upon the patriots as a body the delinquencies really belonging to the few. It was alleged that Virginia and Massachusetts were growing rich at the expense of their neighbors. In this period of mistrust the merchants of the city of New York sent out a Circular to the principal commercial places, proposing to confine the agreement of non-importation to the single article of tea, and that trade should be free in all other articles. The proposition fell upon the patriots like the news of some public calamity. It created a panic.[2]

deviation from truth than to represent the colonies as concerting a plan of resistance to the government. But they also averred that Americans had 'anxious fears for the existence of their assemblies, which they considered their last and only bulwark against arbitrary power. For if, say they, laws can be made, money levied, government supported, and justice administered, without the intervention of assemblies, of what use can they be? And being useless and unessential, is there not reason to fear they will quickly become disagreeable and then be wholly laid aside? And when that happens, what security have we for freedom, or what remains for the colonists but the most abject slavery? These are not the reasonings of politicians, but the sentiments and language of the people in general.'"

See more of this admirable letter in Gordon, i. 268.

[1] Broadside issued in Philadelphia July 14, 1771.

[2] A letter from Connecticut says that the universal consternation which the late letter from New York gave the people of all ranks, was easier to be conceived than

The excitement was general and intense. The proposal was met by indignant remonstrances. In Boston, at a meeting in Faneuil Hall, the New-York Circular was ordered to be torn in pieces and scattered to the winds, in token of abhorrence. The students of Princeton College, — James Madison being one, — clothed in American cloth and arrayed in black gowns, gathered in the college yard; and, while the bell tolled, the New-York letter was committed to the flames.[1] The New-Yorkers, however, carried their point, and were called "Revolters." The merchants of Charleston, in a noble letter, urged that unanimity was absolutely necessary, and that the people of that province had bound themselves to the cause of American liberty,[2] and nowhere was the course of the Revolters more indignantly denounced. The merchants of Philadelphia, in a sorrowful and strong letter, averred that the New-York merchants had certainly weakened that union of the colonies on which their salvation depended, and, in a day of trial, had deserted the cause of their country. There was sterner action in other colonies. The patriots of Charleston, S.C., voted, at a great meeting, that, because the inhabitants of Georgia did not come into the agreement, they "ought to be amputated from the rest of the brethren as a rotten part that might spread a dangerous infection;"[3] and, for the same offence, the patriots of Boston voted that they would not hold inter-

expressed, nor to be conceived but by those who have been present at news of some public misfortune first spreading. — Massachusetts Gazette, June 28, 1770.

[1] Rives's Life of Madison, i. 4. A broadside dated "Philadelphia State House, July 14, 1770," and signed "Pennsylvania," says: "The New-Yorkers have betrayed a meanness and cowardice in deserting us in the present important juncture, which wants a name. May infamy be their portion! And may the names of a Bute, Grenville, a Bernard and a Yorker, hereafter be synonymous words." Arthur Lee, writing to Dr. T. Bland, London, Aug. 21, 1770, says: "I have hardly spirit to write, so severely do I feel the fatal news which has just reached us of the treachery of New York in basely deserting the common cause of liberty. Much am I afraid the evil will spread." — Bland Papers, i. 28.

[2] This letter is in the "Massachusetts Gazette," May 24, 1770.

[3] Charles Pinckney was chairman of the meeting, which was described as numerous and respectable as ever gathered under Liberty Tree. — Boston Evening Post, July 23, 1770.

course with the merchants of New Hampshire, or with any who held intercourse with them.[1] The matter on this subject is voluminous. The newspapers abound with relations of the proceedings of towns and counties, denouncing the violators of the agreement; and of the merchants of Philadelphia, Boston, and Charleston, and of other places, decreeing non-intercourse with New York. Words were followed by blows; and the vessels from New York, New Hampshire, and Rhode Island, were driven from the ports of Boston, Charleston, Philadelphia, and other places.[2] Besides this wholesale anathema and crimination, there were bitter feuds between several colonies about local jurisdiction. New Hampshire and New York were contending for the territory now Vermont; and Connecticut and Pennsylvania were fighting at Wyoming.[3] Thus the American cause was in the

[1] Massachusetts Gazette, June 28, 1770. The committees on imports and exports were directed to keep the strictest look-out that no sort of goods came in from or went out to any part of New Hampshire. In the "Massachusetts Gazette," June 4, 1770, is the following: "The merchants, &c., of Philadelphia, have come into Resolutions not to have any dealings with the colony of Rhode Island for breaking through their non-importation agreement. Captain Whitman, lately arrived at Philadelphia from Newport, was not suffered to land his cargo, but was obliged to turn back again."

[2] The newspapers of July, 1770, contain many items showing the bitterness that prevailed between the colonies. The following are from the "Massachusetts Gazette" of July 5:—

"Captain Smith has returned to Providence with his cargo from Philadelphia. He was obliged to leave Philadelphia."

"The freeholders, merchants, and traders of New Brunswick, in New Jersey, have come into resolves to operate with the other colonies with respect to non-importation, and to have no commerce with Rhode Island."

"An account is given of the proceedings of 'persons' residing in the principal trading towns on Connecticut River, who decreed non-intercourse with Portsmouth, N. H."

"A long relation of the doings of the Committee of Inspection of Windham, Conn., and the sending goods back to Providence, the merchants of which, it is said, had 'basely betrayed their trust, and sold their birthright privileges for a mess of pottage.'"

[3] "Wyoming, Aug. 1, 1771. Last Tuesday, about break of day, I arrived at this place with thirty-one men and provisions, and was attacked by the Connecticut party. . . . We were surrounded by their fire. . . . Got in with twenty-two of our men. Nine are missing. They have kept up an almost continuous fire on our block-house ever since, from four intrenchments; but we are determined to hold out to the last extremity." — Massachusetts Gazette. Aug. 19, 1771.

"We hear from Albany that another expedition, like that formerly carried on

presence of varied internal strife. It was feared by the patriots that two evils would be likely to grow out of this confusion and bloodshed, that might prove irremediable, — loss of character in England, and the destruction of that confidence at home that was essential to success.[1] It was exultingly said by the Tories, who rejoiced at the dissension and weakness, that the union was well broken,[2] and that it would require a miracle to restore it. It is wonderful that men now living saw this spectacle, were born when the thirteen colonies seemed destined to reproduce only the petty autonomy of ancient Greece, and to suffer as the penalty border wars, chronic impotence, or subjection to foreign sway.

The non-importation agreement was broken, to the infinite joy of the Tories in America and in England.[3] Then no general issue remained to stir the colonies. The blood shed in Boston by British soldiers on the memorable Fifth of March, 1770, produced a thrill of horror; but there succeeded immediately the forced removal from the town of the obnoxious troops, and the general exultations at the triumph of the patriots. In some of the colonies exciting local issues were created by the execution of arbitrary Royal Instructions; but the desire was general to drop the controversy with the mother-country.[4] Even in Massachusetts, though there

against Noble-Town, is proceeding against Bennington. More of the salubrious effects of the extensive wisdom and goodness of a righteous administration, who first intrusted Governor Wentworth to grant those lands for speedy settlement; then turned right about, and countenanced the monopolizing grandees of New York." — Boston Gazette, July 29, 1771. The "Massachusetts Gazette" of May 7, 1772, has a relation of a raid of New-Yorkers on sundry towns granted by New Hampshire, to turn them out of their possessions, in which blood was shed.

[1] Letter of Arthur Lee.

[2] Hutchinson wrote June, 22, 1772: "The union of the colonies is pretty well broke. I hope I never shall see it renewed."

[3] John Adams writes (Works, ii. 364): "Mr. Reed told us, at dinner, that he never saw greater joy than he saw at London when the news arrived that the non-importation agreement was broke. They were universally shaking hands and congratulating each other."

[4] Ramsay (Hist. Am. Revolution, 70), says that "many hoped that the contention between the two countries was finally closed. In all the provinces, except Massa-

were sharp contests between the assembly and the executive, and passionate appeals in the press, the people were averse to political agitation. This calmness was the basis of the opinion expressed in London, that the disputes with the government had subsided; of the congratulations on the tranquillity of public affairs; and of the boast of Lord Hillsborough, that America had returned to a due sense of her error in opposing his administration.[1]

The popular leaders, however, kept on exposing the

chusetts, appearances seemed to favor that opinion." "Verus," a Tory, addressing "The Free Electors of Massachusetts," in the "Massachusetts Gazette," May 15, 1771, says of the popular leaders of Massachusetts: "They cannot bear the tranquil state of New Hampshire, Rhode Island, Connecticut, New York, New Jersey, and the other governments, except North Carolina, whose Regulators also, it is to be hoped, will soon be suppressed."

A piece in the "Massachusetts Gazette" (Tory), Feb. 6, 1772, begins: —

"They that are in will grin,
They that are out will pout."

Inerti Auctoris.

"The dispute between the kingdom and the colonies ceases everywhere except in this province. . . . Every other colony has made its peace. Some are seeking one favor, some another." Another piece in the same paper terms the patriots "Sons of Discontent and Rapine."

The "Censor," No. 5, Dec. 21, 1771, republishes by request "An Eastern History," in two chapters; one containing forty-six verses, and the other thirty-four. It touches on things in Massachusetts from the beginning of the reign of George III. to the time of Hutchinson's appointment as governor. The twenty-sixth verse of chapter i. relates that certain sons of Belial, who had nor gold nor silver, asked themselves, "What can we lose? peradventure by our craft we may gain something." The twenty-eighth verse runs: "So Samuel the Publican (Adams), and William the Scribe (Cooper), and Will the Weaver (Molineaux), with others of the sons of Belial, set themselves to oppose Francis, the Governor, and Thomas, the Chief Judge, and drew much people after them; and the land was disquieted." The thirty-first verse of chapter ii. says, after the repeal of the revenue acts, "the land had rest, save only in the province of Massachusetts; for there the sons of Belial yet continued to deceive the multitude."

Samuel Adams, March 25, 1771, wrote to Arthur Lee, now in London: "If the people are at present hushed into silence, is it not a sort of sullen silence which is far from indicating your conclusion that the glorious spirit of liberty is vanquished, and left without hope but in miracles? It is the effect of a mistaken prudence which springs from indolence," &c.

[1] Massachusetts Gazette, Feb. 10, 1772. Arthur Lee says, in a letter to Samuel Adams, April 7, 1772: "My Lord Hillsborough does not deserve from us a confirmation of his insolent boast, that America is quiet and returned to a due sense of her error in opposing his righteous and able government. And, upon the whole, why should we be less persevering in opposition than they are in oppression?"

danger of admitting Royal Instructions to have the force of law, and earnestly urged renewed effort in behalf of American liberty. They never yielded to the fatal heresy of a personal government, or to the sweep of power covered by the Declaratory Act. They saw in the halcyon sky the cloud no bigger than a man's hand, which contained the thunderbolt of civil war; and, in the storm which they predicted, they could see shelter only in the fold of union. It is not easy to imagine how political insight could have been more penetrating as to causes, or foresight more accurate as to results.

Among these leaders Samuel Adams was pre-eminent. He had been steadily rising in reputation in Massachusetts and abroad. There had been no decline in his zeal, no pause in his labor. He gave to the cause the whole of his time. A wide correspondence, voluminous writing in the press,[1] and masterly state papers attest his intelligence, industry, and influence. He was now directing public attention, through the press, to the theory and practice of the ministry. While he restated the old argument against the right of parliament to tax, he closely examined the foundations of the claim of the ministers to govern by Royal Instructions. He had grasped the idea that the king, lords, and commons, as well as the colonies, were subject to the authority and bound by the limitations of constitutional law. In applying this idea, he did not appeal to what might quite as likely be human fancy or passion, or the political capital of arrant demagogues, as the State's collected will; but he appealed to a supreme law which the nation had made, and which it was expected the temporary agents would ever respect and preserve: as the trial by jury, the habeas corpus, Magna Charta,—expressions of the general reason, organic, and therefore inviolable. For illustration: when his opponents,

[1] "The General Court not being in session, the press sounded a loud alarm in the ears of the people. At no period of the world was its freedom of greater service to mankind." — Wells, MSS. Life of Samuel Adams, i. 326.

in controverting his position, urged that Magna Charta was but an act of parliament, which kings, lords, and commons, as the sovereignty, might amend as they could any ordinary act, he would make the grand answer:[1] This view made Magna Charta of no greater consequence than a corporation of button-makers; whereas Lord Coke held that it was declaratory of the principal grounds of the fundamental laws and liberties of England.[2] His appeal could hardly have been more forcible had there been established the American custom of a written constitution, which, to all, was a supreme law: even this, however, is of little value in the presence of a dead constitutional morality. The appeal of Samuel Adams was to such constitutional law as was grounded in the hearts of the nation, and which Americans loved and respected. While he emphatically denied that the just supremacy of parliament was questioned, specifying as an illustration the general concession of the right to regulate the trade of the empire,—and as earnestly disclaimed the intention of calling in question the sovereignty, specifying the facts attesting the loyalty to the crown,—he contended for the preservation to each colony of its old right to make its laws of a domestic nature, and held that the people, as Americans, were members of one body, or of the nation; and while they were bound to fight for the king, they were entitled to be recognized as co-equal sharers with the English people in English liberties.

The aggressions on popular rights in Massachusetts required continued service at his hands, in private consultations, in public meetings, in the general assembly, and in preparing matter for the press; and it is doing no injustice to others to say that he was the centre around which all the movements of the patriots turned.[3] Still his eye was ever

[1] "Chronus," a Tory writer, in "Massachusetts Gazette," Jan. 9, 1772.

[2] "Candidus" (S. Adams), in reply to "Chronus," in "Boston Gazette," Jan. 27, 1772.

[3] Life of John Adams (by C. F. Adams), 124.

upon the whole American field. He urged that the cause of one colony was the cause of all the colonies, and that it was only through united councils that the continent could expect to maintain its rights. His great theme from the beginning of the controversy had been a union of the colonies.[1] In handling it, he was comprehensive in principle, method, and object, looking ever for the better time in the future. "Let us forget," he now wrote to the South-Carolina patriots, of the non-importation agreement, "there ever was so futile a combination, and awaken an attention to our first grand object, and shew that we are united in constitutional principles."[2] Union was his paramount thought. The need of it never seemed so great. The method he suggested was for the patriots in each town or county in every colony to hold legal meetings, and choose substantial citizens to act as committees of correspondence, with a view to secure concert of action; and for the Massachusetts towns to adopt the measure, and then, through the assembly, to propose it to the other colonies in the hope that they would adopt it.[3]

[1] Life of Samuel Adams (by W. V. Wells), ii. 9, who says: "There is scarcely any time, from 1764 to 1774 inclusive, in which we do not find him directing his countrymen to a unity of purpose and concert of action among the several provinces." Wells states (ii. 85) that the motions for committees of correspondence by the assembly of 1770 and 1771 were made by Adams.

[2] Adams wrote to Gadsden, Dec. 11, 1766: "I wish there were a union and a correspondence kept up among the merchants throughout the continent." — Wells, i. 133. He wrote in the "Boston Gazette," Sept. 16, 1771, over the signature of "Candidus:" "I have often thought that, in this time of common distress, it would be the wisdom of the colonists more frequently to correspond with and to be more attentive to the particular circumstances of each other. . . . The colonies form one political body of which each is a member. . . . The liberties of the whole are invaded: it is therefore the interest of the whole to support each individual with all their weight and influence."

[3] Adams wrote to Arthur Lee, Nov. 30, 1772: "If our design succeeds, there will be an apparent union of sentiments among the people of this province, which may spread through the continent." Hutchinson had accurate information of every step of the union action of the patriots, though he misrepresented in stating that their aim was independence. In letters dated Jan. 7 and Feb. 18, 1773, he says that he had authentic information that it was part of the plan to invite every assembly on the continent to concur. He makes the same statement in "History of Massachusetts," iii. 368.

The engine of committees was used in the contests of the parliamentarians with the Stuarts.[1] It was suggested very early in the controversy as a mode to promote union.[2] Public meetings, towns and assemblies, had chosen them at various times, and some were in existence.[3] A line of remark on their value may be seen for years in private letters and the press; but, owing perhaps to the vacillation of the ministry, and their adroitness in avoiding a general issue, nothing efficient had been done in the way of a general organization. Hence, while the Tory party, through the royal officials, could act as a unit, the Whigs were simply opposers of obnoxious measures, acting as local aggressions dictated; and, though imbued with a common sentiment, were without the inspiration and power which belong to organic life. It was to remedy this defect that Samuel Adams now urged the formation of committees of correspondence to bring about a union, and thus won the fame of a statesman by embodying a great thought at the right time into a wise measure.

At this period Lord Hillsborough was succeeded at the head of the American department by Lord Dartmouth, who had the reputation of being an amiable and good man, and well disposed towards the colonies. Hopes were indulged that he might reverse the policy of his predecessor. But this policy had deeper roots than personal preferences: it grew out of feudal ideas; and the new secretary was a disciple of the school which had these ideas for its platform. He looked with unfeigned distrust on the measure of popular power exercised by the colonists. He meant that they should be governed, though he meant to govern them well.

[1] Adolphus's History of England, ii. 24. Rushworth's Collections, Part IV., vol. i. 652.

[2] See above, p. 162.

[3] Samuel Adams, Nov. 21, 1770, acknowledges the receipt from a committee in Charleston, S C., of letters "for the Sons of Liberty in Boston, Connecticut, and New Hampshire," which he forwarded "as soon as possible to such gentlemen in the respective places worthy so excellent a character," which indicates that he did not know of any committees to send them to.

He had a paternal desire to do for them, joined to a repugnance to recognizing a polity which fostered the capacity to do for themselves. If he did not originate, he certainly did not hesitate to send out the worst Royal Instruction that was issued in the king's name.

A great controversy was going on in Massachusetts, growing out of the refusal of Governor Hutchinson to accept a compensation for his service from the legislature, and his accepting it from the imperial treasury, when Lord Hillsborough directed that the salaries of the judges and the subordinate officers of the courts should be provided for in a similar way; and all doubts were removed as to the position of Lord Dartmouth, by his advising (August, 1772) the local officials that the king had the right to make such provision for the salaries of these officials. "The judges and subalterns," Josiah Quincy, Jr., now said in the press, "have got salaries from Great Britain. Is it possible the last movement should not move us and drive us, not to desperation, but to our duty? The blind may see, the callous must feel, the spirited will act."[1] The towns, in line upon line, were urged to express their sentiments on this new violation of old customs in instructions to their representatives. "Let us," an appeal runs, "now unite like one band of brothers in the noblest cause, look to Heaven for assistance, and He who made us free will crown our labors with success."[2]

Samuel Adams selected this instruction as the occasion for rousing the patriots, for healing divisions, and for organization, by forming committees of correspondence, saying: "This country must shake off its intolerable burdens at all events: every day strengthens our oppressors, and weakens us. If each town would declare its sense of these matters, I am persuaded our enemies would not have it in their power

[1] In Boston Gazette, Sept. 28, 1772. "The last vessels from England tell us that the Judges," &c.

[2] An American in "Boston Gazette," Nov. 2, 1772.

to divide us. . . . I wish we could rouse the continent."[1] Such appeals, however, failed to renew the agitation. Town meetings were called in Boston to consider public affairs, but they were neither so large nor so enthusiastic as the meetings of previous years. Nor were the patriots agreed as to what the next step ought to be. This apathy and disunion in the town was typical of the political situation in the colonies. A town meeting was called in Faneuil Hall, to consider the question of the salaries of the judges. It is not necessary here to give the voluminous details of the discussions and proceedings. On the second day of November, 1772, it reassembled by adjournment; and, although on that day the "Boston Gazette," with its seven columns of politics, was, in the glory of a free press, kindling a flame for a just cause, yet the meeting was not large. It was, however, respectable in number and in character, and continued through the day. In the afternoon, Samuel Adams moved "that a committee of correspondence be appointed, to consist of twenty-one persons, to state the rights of the colonies, and of this province in particular, as men, as Christians, and as subjects; to communicate and publish the same to the several towns in this province and to the world, as the sense of this town, with the infringements and violations thereof that have been, or from time to time may be, made; also requesting of each town a free communication of their sentiments on this subject." Though this motion was opposed by some of the patriots, including three of the representatives to the General Court, on the ground that its failure might hurt the cause, yet it was adopted. This inaugurated the system of local committees of correspondence. They multiplied and widened under successive impulses, until they constituted the accredited organs of the party that founded the Republic of the United States. "They may be called," a contemporary wrote,[2]

[1] Letter to Elbridge Gerry, Oct. 27 and 29, 1772. Life of Gerry, i. 12.

[2] Francis Dana to Elbridge Gerry, February, 1780.

"the corner-stone of our revolution, or new empire." Hence the action of Boston proved the beginning of the first national party of the country.[1]

The committee was composed of citizens who had rendered service to the cause, and who coveted no other reward than to see their work prosper.[2] A few were of so much prominence as to entitle them to the position of leaders. Thomas Young, a physician, was zealous, wrote with force, spoke bold words in the public meeting; but was so much of an extremist as to be a type of the Jacobins of that day, and subsequently, when living in Philadelphia, proved a rash counsellor. William Molineaux was foremost in popular outbreaks and patriotic processions; a firm, reliable, efficient politician. Benjamin Church, a physician, had respectable talents, but was of uncertain politics, and probably thus early was unfaithful to the cause. James Otis could still stir the public mind by his voice and pen; but at times his noble intellect was shattered, and his day for substantial service had passed. The records of the committee present Joseph Warren and Samuel Adams as the most relied on for maturing measures. Warren, now about thirty-three, had, for eight years, served the cause with great zeal and faithfulness. His standing among the Whigs is indicated by his selection as the orator on the celebration of the massacre in March, and the prominent part he bore in the local action of previous years. He grasped, as by intuition, fundamental ideas, and commended them with marked ability in the press and public meeting. He had genius, courage, and rare social gifts. His generous nature, unselfish service, genuine patriotism, and large love for his fellow-men, endowed him with the magic spell of influence

[1] Life and Times of Warren, 190. See above, p. 165.

[2] The Committee were: James Otis, Samuel Adams, Joseph Warren, Benjamin Church, William Dennie, William Greenleaf, Joseph Greenleaf, Thomas Young, William Powell, Nathaniel Appleton, Oliver Wendell, John Sweetser, Josiah Quincy, John Bradford, Richard Boynton, William Mackay, Nathaniel Barber, Caleb Davis, Alexander Hill, William Molineaux, Robert Pierpont.

and the power there ever is in a noble character. He valued the American cause above his life, and was ready to peril his all in its behalf. He was the bosom friend of Samuel Adams. They thought alike on the political issues, worked in harmony in the spirit of self-sacrifice, and in friendship and patriotism were not unlike Hampden and Pym. After Warren fell at the Battle of Bunker Hill, no one rose to fill the place he occupied in the affection of Samuel Adams.[1]

The committee, at their first meeting, took an oath not to divulge their proceedings. They chose James Otis chairman; and for secretary, William Cooper, the town clerk, eminent for his public and private virtues and long service. They were soon ready to present, in a town meeting (November 20) called by the selectmen, an elaborate Report on the matters submitted to them. It consisted, first, of a statement of the rights of the colonists, prepared by Adams; second, of an enumeration of the violations of rights, drawn up by Warren; third, of a brief letter of correspondence with the other towns, written by Church.

The first part treats of "rights as men, as Christians, and as subjects." It specifies the right of man to life, liberty, and property; to choose his country; to worship God according to the dictates of his conscience; to be taxed only by his representatives; to have justice administered under standing laws and by judges, independent, as far as possible, of prince or people; to enjoy freedom as the gift of God Almighty. It also sets forth the rights of subjects born in the realm of England. It announces the equality of all men before the law, and it develops at length the idea that consent is the just basis of law.

The second part enumerates the violations of these rights by Royal Instructions and acts of parliament, under ten heads. Among the specifications are the assumption of the

[1] Wells's Life of Adams, iii. 122. Jefferson, in a letter dated July 4, 1775, names, of the killed in the Battle of Bunker Hill, "Dr. Warren, who seems to have been immensely valued at the North."

right to tax the colonies without the consent of the people, and to legislate for them in all cases whatever; the invasion of trial by jury, by establishing courts of admiralty; and acts prohibiting the manufacture of certain articles. These violations are presented with the remark that they could not fail "to attract the attention of all who consider themselves interested in the happiness and freedom of mankind in general, and of this continent and province in particular."

The third part — a brief letter addressed to the towns — commends the matters presented in the Report as of such great and lasting moment as to involve the fate of all their posterity, and solicits a free communication of sentiment from each town. It closes with the suggestion that, if the towns concurred in the opinion that the rights of the colonists and the measures pointed out as subverting them were properly stated, it would be doubtless thought of the utmost importance that all should stand as one man to recover and support them.

This Report, after long deliberation, was adopted. Six hundred copies were ordered to be printed in a pamphlet, and a copy was directed to be sent to every town in the province. A copy was also sent to prominent Whigs in other colonies.

This paper was the most radical exposition of rights and grievances — the most systematic presentation of the American cause — that had been adopted by a public meeting. It covered well-nigh the whole ground of natural and constitutional rights. It gave to principles, which had been held as abstractions, a practical significance. It considered the relations of man not only as a citizen, but as a Christian, and claimed for him that equality which is the cardinal principle of Christianity. It claimed for him, under law, the position to which he is entitled, — the right to make the laws under which he lives, to select his field of labor and enjoy its fruits, and thus claimed fair play for the industrial

energy which has contributed so much to the growth and glory of the country. Its bold theory, incisive criticism, and solid reasoning were admirably calculated to strengthen and direct public opinion.[1]

The committee, as they sent out this Report, were not disheartened by the doubts of the Whigs nor the jeers of the Tories, by the spectacle presented in the colonies of ill-nature and disunion in some quarters, nor by the general apathy on the question with the mother-country. The great popular leader at their council board in Faneuil Hall, Samuel Adams, held the faith that the cause would make friends, and rise; and he infused his spirit into those near him. His steps can be traced day by day. A warm patriot in Plymouth, James Warren, on getting the Report, wrote to Adams: "I shall not fail to exert myself to have as many towns as possible meet, but fear the bigger part of them will not. They are dead; and the dead can't be raised without a miracle."[2] Adams was prompt to reply: "I am very sorry to find any thing in your letter that discovers the least approach towards despair. *Nil desperandum*. That is a motto for you and for me. All are not dead; and where there is a spark of patriotic fire, we will rekindle it."[3] To another he wrote: "If our enemies should see the flame bursting in different parts of the country, and distant from each other, it might discourage their attempts to damp and

[1] Sparks (Works of Franklin, iv. 381) remarks that the Report was drawn up with as much ability as freedom. Hutchinson (History of Massachusetts, iii. 368) says that the whole frame of it was calculated to strike the colonists with a sense of their just claim to independence, and to stimulate them to assert it. The Proceedings were printed at Boston in a pamphlet of forty-three pages, by Edes & Gill in Queen Street, and P. & J. Fleet in Cornhill, and was copied into the "Pennsylvania Journal." It was reprinted in London, with a Preface by Franklin, which may be found in the fourth volume of his Works, edited by Sparks, p. 381. This Preface is in the "Massachusetts Gazette," May 6, 1773. Franklin commended the Report as "not the production of a private writer, but the unanimous act of a large American city," and remarked: "This nation, and the other nations of Europe, may thereby learn, with more certainty, the grounds of a dissension that possibly may, sooner or later, have consequences interesting to them all."

[2] James Warren to Samuel Adams, Dec. 8, 1772.

[3] Samuel Adams to James Warren, December, 1772.

quench it."[1] The originators of this measure did not, as is the modern practice, attend the meetings in the country and speak in favor of the Report. It was its own orator. The patriots of Plymouth were the earliest to follow Boston in choosing a committee of correspondence. In a few weeks the committees so multiplied, and the expression of sentiment was so inspiring, as to exceed the expectation of the friends of the measure. The Boston committee began to print in the newspapers the letters and proceedings elicited by the Boston Report, which, being often elaborate, proved too strong a draft on the space at the command of the conductors. When eighty replies had been received from the towns, it was said that to print the proceedings of all towns would be impossible, and to make selections would shew partiality, and hence their publication was mostly suspended. A card, as by authority, appeared in the newspapers, in which it was proposed to print the whole in a volume; and each town, however small, was urged to transmit its sentiments, in order that its name might be inscribed in the catalogue of fame, and handed down to future ages.[2]

A few sentences from these patriotic responses will shew the spirit of the whole. One says: "May every town in this province and every colony on the continent be awakened to a sense of danger, and unite in the glorious cause of liberty." Another urges that all "should stand firm as one man to support and maintain their just rights and liberties." Another prophesied that, "if arbitrary measures were to be enforced by fleets and armies, there would be a dissolution

[1] Samuel Adams to Elbridge Gerry, Nov. 14, 1772.

[2] "To the Public. It is proposed that all the proceedings of the towns in the Massachusetts Province, for the preservation of the rights of America, be collected and published in a volume, that posterity may know what their ancestors may have done in the cause of freedom. It is expected that the inhabitants of every town, however small, will at this time publish their sentiments to the world, that their names, with those who have already published, may be recorded in this catalogue of fame, and handed down to future ages." — Boston Gazette, Jan. 18, 1773.

of the union between the mother-country and the colonies, to the infinite loss of the former and the regret of the latter;" and another responds: "It becomes us to rely no longer on an arm of flesh, but on the arm of that all-powerful God who is able to unite the numerous inhabitants of this extensive country as a band of brothers in one common cause." Another counselled the formation of an American union. One meeting after another echoed the advice for a congress.[1] One answer runs: "We cannot be supposed to be acquainted with the mystery of court policy, but we look upon ourselves able to judge so far concerning our rights as men, as Christians, and as subjects of British government, as to declare that we apprehend those rights, as settled by the good people of Boston, do belong to us, and that we look with horror and indignation on the violation of them;" and it expressed a readiness to defend them, if need be, with the sword. The people of Boston were warmly and gratefully thanked for their efforts. One town says: "It is our earnest prayer to Almighty God that they may be animated still to proceed, and that they may prosper according to the desire of their hearts, and receive the most ample and durable rewards." The record of this communing of the towns, consisting of addresses, letters, and resolutions, contains the names of the prominent citizens of localities chosen on the committees, an approval of the Report, and solemn pledges to support the cause it set forth. Thus the patriots of this province very generally attained an efficient organization.

This movement was commended in the press as the most likely of any plan ever devised to establish the rights of all the colonies, and thus secure peace and harmony; for it was reasoned, if the ministers see America united and determined, they will give up their vain pretensions. Hence union was enjoined in passionate terms. It was repre-

[1] Bancroft, vi. 456.

sented to be the voice of Freedom;[1] that she was saying to Americans: —

> "If you're united in one faithful band,
> Like everlasting mountains you shall stand,
> Whose bases rest on God's almighty hand."

The result of the movement, so far as relates to Massachusetts, was all that could have been expected, and nearly all that could have been desired. The Boston committee, cheered by the uprising from the pines of Maine and the sands of Plymouth to the hills of Berkshire, directed the expression of faith to be entered on their records, "that Providence would crown the efforts of the colonies with success, and thus their generation would furnish an example of public virtue worthy of the imitation of posterity." This faith, however, was not based on what might be attempted or might be done on the few thousand square miles of territory that was known as Massachusetts, but on the hope that the patriots of the other colonies would adopt the organization, and "that it

[1] The following lines appeared in the "Boston Gazette" of Jan. 18, 1773: —

THE VOICE OF FREEDOM.

By uniting we stand, by dividing we fall.
The Immortal Farmer.

Americans, attend to Freedom's cry!
Who scorns her voice deserves in chains to die.
The sordid imps of tyranny conspire
To set America's fair realms on fire,
That I in flames of discord may expire.
But, O my sons! should Hell itself combine
With plundering villains in their fell design,
If you're united in one faithful band,
Like everlasting mountains you shall stand,
Whose bases rest on God's almighty hand!
Strong union's blow shall drive them down to the deep,
As from the wall your broom the cobwebs sweep.
But, disunited, you will shortly mourn
Fair Liberty from your embraces torn;
And curse the fatal day that you were born.
In galling chains for scoundrels you must toil:
For all your pain no approbating smile!
In vain you'll then to Heaven for succor cry:
When Freedom's day of grace is once past by,
Vile slaves you'll live; like malefactors die.

would extend to every town of any consequence throughout America;" in the language of the time, that a continent would adopt the organization.

The spread of the movement, the expression of public sentiment, and the indications of a renewal of union, were observed with deep interest by Governor Hutchinson of Massachusetts, who was the strongest man on the Tory side here; indeed so varied were his talents, and so high was his personal character, that he was ranked among the greatest and best men in America. The movement seemed to him of so formidable a character, that, unless it were checked, it must work a total separation of the colonies from Great Britain; and were he to sit still in the place of its origin, and do nothing, he might become liable to the charge of conniving at a procedure which he ought to have opposed with all the means at his command, and especially as he had authentic information that its projectors determined to recommend it to the other colonies. On these grounds he treated public affairs elaborately in speeches to the General Court. He condemned the committees of correspondence as not warranted by the Constitution; declared the doctrines set forth by the towns dangerous; and presented the whole question between Great Britain and her colonies in a manner uncommonly satisfactory to his political friends. These speeches drew from the popular leaders of both branches of the legislature searching and triumphant answers, which were prepared mainly by James Bowdoin, of the council, and Samuel Adams, of the House. The momentous issue, close at hand, was foreshadowed in this keen encounter. The governor remarked that he knew of no line that could be drawn between the supreme authority of parliament and the total independence of the colonies, and asked whether there was any thing they had to dread more than independence. The popular leaders made the grand answer that, if supreme authority meant unlimited authority, the subjects of it were emphatically slaves, whether residing in the colonies or

Great Britain; that the powers of the local legislatures and of parliament were so far limited that they could not make orders and laws violative of such fundamentals as Magna Charta and the Bill of Rights; that drawing the line between the supreme authority of parliament and total independence was a profound question, of very great consequence to the other colonies, and not to be proposed without their consent in a general Congress; and that there was more reason to dread the consequence of absolute power, whether exercised by a nation or by a monarch, than total independence. This uncommonly able presentation of both sides of the question between England and the colonies was circulated in the newspapers and in pamphlets,[1] and gave additional significance to the organization of committees of correspondence. The course of Hutchinson was not approved by the ministers; while the dignity and conclusiveness of the answers of the legislature were warmly commended by the patriots throughout the colonies, and are enduring monuments of American statesmanship.

Meantime the movement of the towns in Massachusetts attracted more and more attention in the other colonies.[2] The

[1] Hutchinson's first speech bears date Jan. 6, 1773, — the first day of the session. He thus (Letter, March 10, 1773) describes the situation at that time: "The contagion that had begun in Boston had spread through one-third of the towns in the province;" and in a letter, June 14, 1773, he says: "I had the fullest evidence of a plan to engage the colonies in a confederacy against the authority of parliament. The towns of this province were to begin; the assembly to confirm their doings and to invite the other colonies to join." His speech appeared in the "Massachusetts Gazette" of January 7. The reply of the House to this speech is dated January 27, and is in the "Massachusetts Gazette" of February 4. The second speech of the Governor is dated February 16, and is in the "Massachusetts Gazette" of February 22. The reply of the House is dated March 2, and is in the journals of the 4th. The papers were very able. On the authorship of them, see the elaborate note in Wells's "Life of Adams," ii. 31.

[2] A letter in the "Boston Gazette," Jan. 25, 1773, from Philadelphia, says: "Your town meeting's resolves begin to excite the attention of the people of these parts." The issue of March 18 says that the "Pennsylvania Journal" contained "the votes and proceedings of the town, with marginal notes supposed to be the Farmer." The "News Letter" (Tory) of April 1 says: "These votes were never published in any paper of this town, nor the names of the committee of correspondence."

Boston Report was printed in full in Southern newspapers. "It breathes the true spirit of liberty," wrote Richard Henry Lee;[1] and it was said, "When a general state of quiescence seemed to prevail over the whole empire, when patriotism seemed expiring, the noble efforts of the towns, and the perseverance with which they pursued the object of having their violated rights redressed, gave sensible pleasure to the friends of freedom."[2] But the patriots did not choose committees of correspondence. It was said in Boston, "They are still and quiet at the South, and at New York they laugh at us."[3] The Governor thought that his condemnation of the committees had checked their progress in the province, and hoped it would prevent the spread of the organization to the other colonies.[4] In fact the issue on Royal Instructions, as applied to the salaries of officials in Massachusetts, was too near an abstraction to stir elsewhere the popular feeling. Passionate words were not enough. The general apathy continued. A case of violated right bearing on the people of all the colonies was needed.

Lord Dartmouth supplied the want in a fresh Royal Instruction, dated the 4th of September, 1772, but not made public until four months later. It was directed to the Governor of Rhode Island. It created, under the sign manual of the king, a commission to hold its sessions in that colony, and to inquire into the circumstances of the burning of His Majesty's schooner "Gaspee." This commission was

[1] Richard Henry Lee, Feb. 13, 1773, in a letter to Thomas Cushing, says that he had received the pamphlet, and that he should have it printed in the "Virginia Gazette."

[2] Letter of S. H. Parsons, of Rhode Island, March 3, 1773. He dwelt on the New-England confederacy of 1643, and suggested an annual meeting of commissioners of the colonies. Arthur Lee, Letter to Joseph Reed, Feb. 18, 1773 (Life of Reed, vol. i. 47).

[3] John Adams's Works, ii. 305.

[4] Hutchinson, Feb. 23, 1773, wrote: "I have stopped the progress of the towns for the present; and I think I have stopped the prosecution of another part of the scheme, which was for the assembly to invite every other assembly upon the continent to assent to the same principles. This part has been acknowledged to me by the Speaker (Thomas Cushing), who is in all these measures." — Letter Books.

composed of the chief justices of New York, New Jersey, and Massachusetts, the judge of admiralty of Massachusetts, and the Governor of Rhode Island. It was instructed that the offence was high treason, or levying war against the king; and was directed to order the arrest of the parties charged with this crime, together with the witnesses; and to call upon Lieutenant-General Gage, the commander of the British army in America, for assistance, if needed, who was instructed to despatch a military force into this colony whenever the commission should apply for it, in order to carry out the object of their appointment. The commission was also instructed to deliver the parties thus arrested to Admiral Montagu, commander of the naval force, who was ordered to send them to England.

This was a bold Royal Instruction. It violated the fundamental of trial by jury, which, it was now said in the press, distinguished the English from all the nations of the earth.[1] It affected the personal liberty of the individual, and bore alike on all the colonies. The army and the navy were placed at the disposition of an imposing tribunal, to insure its execution. The contemplated action lacked no element of completeness to render it a general issue. It was the culmination of this grievance of Royal Instructions. It stands out among the events of the time in the importance of a proximate cause.

Several patriots of Rhode Island sent extracts from this instruction to Samuel Adams, and asked his advice; who, after consultation with a few friends, sent a reply recommending the Rhode-Island patriots to send a circular to the other colonies calling for assistance; remarking that the enforcement by British troops of this enormous claim of power might cause a most violent political earthquake, and that the commission ought to awaken the colonies which had been too long dozing on the brink of ruin. He repeated himself as he wrote: "It should again unite them in one bond.

[1] This was said of the trial by jury in the "Boston Gazette."

Had that union which once happily subsisted been preserved, the conspirators against our common rights would never have ventured upon such bold attempts. It has ever been my opinion that an attack upon the liberties of one colony is an attack on the liberties of all; and therefore, in this instance, all should be ready to yield assistance to Rhode Island." He communicated the Instruction to the "Boston Gazette,"[1] when the patriots in different quarters denounced the commission, compared it to the star-chamber courts of the old country, and pronounced the trial by jury the great barrier of their lives and liberties. They averred that trial by one's peers was guaranteed by the Constitution; and that whoever attempted to alter or invade this fundamental principle, by which the liberties of the people have been secured from time immemorial, is a declared enemy to the welfare and happiness of the king and the state. Arthur Lee, then in London, who could not have seen this blaze of the American press, pronounced the commission "the most dreadful violation of their liberties that could be offered; big with every evil that could be dreaded." This spontaneous burst of indignation by a free people was the effect "of a sight of chains, and rattling them before putting them on."

The commission[2] held its first session in Newport, in

[1] Boston Gazette of Jan. 4, 1773. Lord Dartmouth says that the destruction of the "Gaspee" is "considered in no other light than as an act of high treason, or levying war against the king. And in order that you may have all proper advice and assistance in a matter of so great importance, His Majesty has thought fit, with the advice of his privy council, to issue his royal commission, under the great seal of Great Britain, nominating yourself, and the chief justices of New York, New Jersey, and Massachusetts Bay, together with the judge of the Vice Admiralty Court established at Boston, to be His Majesty's commissioners for inquiry into and making report to His Majesty of all the circumstances relating to the attacking, plundering, and burning the "Gaspee" schooner. The king trusts that all persons in the colony will pay a due respect to the royal commission."

[2] The commission was composed of Joseph Wanton, the Governor of Rhode Island; Chief Justices Daniel Horsemanden of New York, Frederick Smythe of New Jersey, Peter Oliver of Massachusetts; and Robert Auchmuty, judge of the Vice-Admiralty Court at Boston. They met at the State House in Newport, Jan. 5, 1773. The commission requested the presence of Admiral Montagu, who, on the 14th of January, advised the commission that he was at Newport, and had hoisted his flag

January, 1773, and drew all eyes on Rhode Island, which, for a time, seemed destined to be the theatre of great events. The Royal Instructions were laid before its assembly by Governor Wanton, but that body did not issue a circular calling for aid; and when the chief justice of the court, Stephen Hopkins, a member also of the assembly, rose in his place and asked for directions how to act, this body advised him, when a case arose, to use his discretion. He declared that he would not give an order to apprehend any person to be transported for trial. This tameness provoked Nathaniel Greene, the future general, to say that the assembly appeared to have lost its ancient public virtue, and to have sunk into an acquiescence in ministerial mandates.[1]

The Virginia House of Burgesses now (March 4, 1773) convened. As nothing particularly exciting had occurred in that colony for a considerable time, the people seemed to fall into a state of insensibility to their political situation; but the Rhode-Island court of inquiry demanded attention. A few of the younger members, Patrick Henry, Richard Henry Lee, Thomas Jefferson, Francis L. Lee, Dabney Carr, and others, met at the Raleigh Tavern to consult on the state of things. "All," Jefferson says, "were sensible that the most urgent of all measures was that of coming to an understanding with all the other colonies to consider the British claims as a common cause to all, and to produce a unity of action; and for this purpose that a committee of correspondence in each colony would be the best instrument for intercommunication."[2] This is exact. The method is named as though it were an old idea. One of this band had urged such a plan, and they had before them the famous Boston Report. They agreed upon a set of resolves, and Jefferson was requested to present them to the assembly.

on board the "Lizzard." The movements of the commissioners were related in the newspapers. The documents were faithfully gathered by Hon. William R. Staples, in the "History of the Destruction of the 'Gaspee,'" printed in 1845.

[1] Greene's Life of Nathaniel Greene, i. 43.

[2] Jefferson's Memoir, p. 4, Ed. of 1830.

But he desired that Dabney Carr, a new member, should do this, in order that his great worth and talents might be made known to the House. Accordingly Carr, a brilliant young lawyer, on the 12th of March moved the resolves, in a speech imbued with feeling, imagination, and patriotism, which was listened to with delight. He was followed by Richard Henry Lee and Patrick Henry, in impressive speeches. The resolutions were unanimously adopted. Eleven members were designated a committee of correspondence to communicate with the other colonies, to obtain authentic information of the doings of the administration, and especially respecting the Rhode-Island court of inquiry, and to report the result to the Burgesses.[1] The genial Botetourt was dead.

[1] An account of the action of Virginia was sent by Benjamin Harrison of that colony to William Palfrey of Boston (Life, p. 378), with a letter dated March 14. An extract from this letter and the resolves were printed in the "Boston Gazette" of April 12, under the heading of "Boston, April 8," probably the day they were received. The editor says the papers alluded to in the letter were the votes and proceedings of Boston, and newspapers containing the Governor's speeches and the answers of the two Houses. The following was the whole communication: —

I received the papers you sent me, and am much obliged to you for them. Our assembly sitting a few days after, they were of use to us. You will see by the enclosed resolutions the true sentiments of this colony, and that we are endeavoring to bring our sister colonies into the strictest union with us, that we may resent in one body any steps that may be taken by the administration to deprive any one of us of the least particle of our rights and liberties. We should have done more, but we could procure nothing but newspaper accounts of the proceedings in Rhode Island. I hope we shall not be kept thus in the dark for the future, and that we shall have from the different committees the earliest intelligence of any motion that may be made by the tyrants in England to carry their infernal purpose of enslaving us into execution. I dare venture to assure you the strictest attention will be given on our part to these grand points.

In the House of Burgesses in Virginia, March, 1773.

Whereas the minds of His Majesty's faithful subjects in this colony have been much disturbed by various rumors and reports of proceedings tending to deprive them of their ancient legal and constitutional rights;

And whereas the affairs of the colony are frequently connected with those of Great Britain, as well as of the neighboring colonies, which renders a communication of sentiments necessary: in order therefore to remove the uneasiness and to quiet the minds of the people as well as for the other good purposes above mentioned, —

Be it Resolved, That a standing committee of correspondence and inquiry be appointed, to consist of eleven persons, — viz., the Honorable Peyton Randolph, Esquire, Robert Carter Nicholas, Richard Bland, Richard Henry Lee, Benjamin Harrison, Edmund Pendleton, Patrick Henry, Dudley Digges, Dabney Carr, Archibald Carey, and Thomas Jefferson, Esquires, — any six of whom to be a committee, whose business it shall be to obtain the most early and authentic intelligence of all such acts and resolutions of the British parliament, or proceedings of administration, as may relate to or

His successor, Earl Dunmore, was a ready instrument of arbitrary power. On hearing of these resolves, he dissolved the House. The members repaired to the Apollo, and agreed upon a circular letter which the speaker, Peyton Randolph, was directed to send to the colonies. The foremost in striking this key-note of union were Jefferson, who probably penned the resolves, and Carr, who moved them in the House. They were scholars, brothers-in-law, and bosom friends; and were accustomed to pursue their studies under the shade of a favorite oak at Monticello, the beautiful residence of Jefferson. Dabney Carr, a few weeks after he rendered this noble service, was called to his rest. His friend did not follow until after the fulness of honors and of years. The mortal remains of both lie side by side under the branches where they had pored over Bacon and Coke, and indulged in visions of the future glory of their country.[1]

The action of Virginia was an inspiration to the cause, and especially to the Massachusetts patriots. Their appeal for organization had been doing its work four months; and, however gratifying the results might have been within the province, their plan had not been adopted in any other,—not one town outside of Massachusetts, I think, choosing a committee of correspondence.[2] The Boston committee, on receiving the Virginia resolves, had them printed on a

affect the British colonies in America, and to keep up and maintain a correspondence and communication with her sister colonies respecting these important considerations, and the result of their proceedings from time to time to lay before this House.

Resolved, That it be an instruction to the said committee that they do without delay inform themselves particularly of the principles and authority on which was constituted a court of inquiry, said to have been lately held in Rhode Island, with powers to transport persons accused of offences committed in America to places beyond the seas to be tried.

Resolved, That the speaker of this House do transmit to the speakers of the different assemblies of the British colonies on this continent copies of the said resolutions, and desire that they will lay them before their respective assemblies, and request them to appoint some person or persons of their respective bodies to communicate from time to time with the said committee.

[1] Randall's Life of Jefferson, i. 83.

[2] Hutchinson's "History of Massachusetts," vol. iii. p. 392, says that the first notice which appears of the Boston resolves was by the assembly of Virginia.

broadside, and sent (April 8) to all the towns, "to gladden the hearts of all who are friends of liberty." The towns, in their enthusiasm, were prompt to pronounce the resolves "worthy the imitation of every house of general assembly on the continent." [1] The Boston committee, by the hands of Samuel Adams, in a letter to the Virginia committee, expressed their gratitude for this action, their veneration for that most ancient colony, and their unfeigned esteem for its committee. "This," Adams said, "is indeed a poor return. I hope you will have the hearty concurrence of every assembly on the continent. It is a measure which will be attended with great and good consequences;" and he asked the significant question, "Whether the establishment of committees among the several towns of every colony would tend to promote that general union upon which the security of the whole depended?" [2] or whether the plan inaugurated by the towns of Massachusetts might not be more effectual? Both plans were designed to be carried out through legal channels, and both were designed to be inter-colonial in their range. They differed widely in their practical working. In the Virginia plan, the immediate constituents of the committee were the assembly; in the Massachusetts plan, they were the legal voters: in one plan the unit was the colony; in the other the unit was the individual.

The circular of Peyton Randolph was brief, expressing the hope that the measure of corresponding committees would prove of general utility if the other colonies should see fit to adopt it. Benjamin Harrison wrote that the object to bring the colonies into the strictest union was, that they might resent an infringement on their rights in one body. Richard Henry Lee wrote: "Full scope is given to a large and thorough union of the colonies, though our language is so contrived as to prevent the enemies of

[1] Resolves of the town of Woburn, April 24, 1773.

[2] Samuel Adams to R. H. Lee. — Life of R. H. Lee, i. 87.

America from hurrying this transaction into a vortex of treason."

The journals soon announced the assemblies, which adopted the "plan of union proposed by the patriotic House of Burgesses," by choosing committees. The Rhode-Island assembly assured the Burgesses they were convinced that a firm union of the colonies was absolutely necessary for the preservation of their ancient constitutional rights. The Connecticut assembly were of opinion that the reasons given by the Burgesses were weighty and important in matter and design, and calculated to produce the happy effect of securing their ancient legal and constitutional rights; and a select committee (Aug. 10, 1773) hoped "to cultivate and strengthen that harmony and union among all the English colonies on the continent of America, which daily appeared to them more and more necessary to preserve and secure the safety, peace, prosperity, and happiness of the whole." The New-Hampshire assembly pledged that colony to "co-operate with her sister colonies to recover and perpetuate the liberties of America," and gratefully acknowledged the prudence and vigilance of Massachusetts and Virginia, in so early taking and sounding the American alarm. The Massachusetts assembly poured forth gratitude to the Burgesses for vigilance, wisdom, and firmness in support of American rights and liberties. The South-Carolina assembly thanked the Burgesses for their steady attention to American interests, and expressed a readiness to co-operate in a measure dictated by such wise counsels, and directed to such laudable ends. In this spirit five assemblies promptly responded to the action of Virginia. Their resolutions, in stating the object of the committees, were generally a transcript of those of Virginia; and were sent to the assemblies in circular letters, usually signed by the speakers. Thus six colonies, under the general issue created by the last Royal Instruction, exchanged assurances of co-operation, and, as

Jefferson characterizes their action, appointed "committees of national correspondence."[1]

The hearty welcome of this action, and the earnest language of the popular leaders, shew how much it was desired that the remaining seven colonies should join in the plan of deliverance, which, it was said, "Heaven itself seemed to have dictated to the noble Virginians."[2] No recommenda-

[1] The dates of the action of the assemblies named in the text are as follows:—

Rhode Island, May 7, 1773. The resolves are in the "Massachusetts Gazette" of May 20. The committee were Stephen Hopkins, Moses Brown, John Cole, William Bradford, Henry Marchant, and Henry Ward. The speaker, Metcalf Bowler, transmitted, May 15, the resolves to the assemblies. His letter is in the "Massachusetts Letter Book." He read to the assembly in August letters from the speakers of the assemblies of the other colonies, in reply, "concurring with the resolves lately entered into by the glorious House of Burgesses of Virginia."— Massachusetts Gazette, Aug. 30, 1773.

Connecticut, May 21. The committee were Ebenezer Silliman, William Williams, Benjamin Payne, Samuel Holden Parsons, Nathaniel Wales, Silas Deane, Samuel Bishop Joseph Trumbull, Erastus Woolcott. The resolves are in the "Massachusetts Gazette," June 17. Ebenezer Silliman, May 29, transmitted the resolves to the other colonies. — Massachusetts Letter Book. A select committee to correspond were William Williams, Silas Deane, Benjamin Payne, and Joseph Trumbull, who signed the letter of August 10, 1773, cited in the text.

New Hampshire chose May 27. Its committee were John Wentworth, John Sherburne, William Parker, John Giddinge, Jacob Sheafe, Christopher Tappan, and John Pickering. The notice of the action is in the "Massachusetts Gazette," May 31.

Massachusetts, May 28. The committee were Thomas Cushing, Samuel Adams, John Hancock, William Phillips, William Heath, Joseph Hawley, James Warren, Richard Derby, Jr., Elbridge Gerry, Jerathmeel Bowers, Jedediah Foster, Daniel Leonard, Thomas Gardner, Jonathan Greenleaf, and James Prescott. The resolves are in the Boston journals of May 31.

South Carolina, July 8. The resolve reads "that Mr. Speaker and any eight of the other members of the standing committee of correspondence be a committee . . . to correspond" with the committees appointed by the House of Burgesses or to be appointed by other "sister colonies." The reply to the Burgesses is signed by Raw. Lowndes, Speaker. The resolves are in the "Boston Gazette," Aug. 9, 1773.

[2] Solon, in "New Hampshire Gazette," June 18, 1773. He adds: "O Americans! embrace this plan of union as your life. It will work out your political salvation." The same paper, July 2, has the following, "inserted by desire," from the "Providence Gazette:"—

TO THE AMERICANS.

The Union of the Colonies, which is now taking Place, is big with the most important Advantages to this Continent. From this Union will result our Security from all foreign enemies; for none will dare to invade us against the combined Force of these

tion of it was more generous than that of the patriots of Massachusetts; nor was any action more prompt and efficient in following this lead than that of the Boston committee. They sent, in June, another circular to the towns, in which they urged that by unity they would be able to defeat the violators of their rights, that all private views ought to be renounced, and the good of the whole become the single object of pursuit; for the period called for the strictest concurrence of sentiment and action by every individual of the province and continent.[1] The call for a congress came up from several quarters. It was said in the Fifth of March oration, in Boston, that a future congress would be the future salvation of America.[2] A Philadelphian proposed that annually, or as often as occasion might require, the colonies should send deputies to form a court like that of the Amphictyons, which managed the general affairs of the Athenians.[3] Samuel Adams thought that a congress, and then an assembly of the States, was no longer a mere fiction in the minds of a political enthusiast.[4] Ezra Stiles judged that the extensive alarm which the Royal Instruction creating the commission gave the colonies on the continent occasioned the Virginia resolutions, and predicted that the committees chosen by the assemblies would terminate in a

Colonies, nor will a British Parliament dare to attack our Liberties, when we are united to defend them. The United Americans may bid Defiance to all their open as well as secret foes; therefore let it be the Study of all to make the Union of the Colonies firm and perpetual, as it will be the great Basis for Liberty and every public Blessing in America. In this Union every Colony will feel the Strength of the Whole; for if one is invaded, All will unite their Wisdom and Power in her Defence. In this Way the weakest will become strong, and America will soon be the Glory of the World, and the Terror of the wicked Oppressors among the Nations. We cannot forbear triumphing in the idea of the great Things that will soon be accomplished in this Country, and the rapid spread of American Glory. But it is highly probable that our most exalted ideas fall far short of what will one day be seen in America.

SIDNEY.

[1] Journals of the Boston Committee, June 23, 1773.

[2] Oration of Benjamin Church, March 5, 1773.

[3] This, perhaps the most definite of the propositions, is found in the "Boston Gazette" of March 15, 1773, in a piece of about five columns, entitled "Proposals for the Good of the Colonies, by a Philadelphian."

[4] Letter to Arthur Lee, April 9, 1773.

general congress.[1] The enthusiasm of the hour may be said to have culminated in the thought that, by union, America would soon be the glory of the world, and the terror of wicked oppressors among the nations.

The "new union" and its embodiment in corresponding committees was closely watched by royal officers, and largely dwelt upon in their letters. It was plain that the strict execution of the instruction creating the court of inquiry would bring on a crisis. There was the vacillation of doubt among them rather than the decision and energy of confidence. The Governor, though of proclivities that carried him ultimately to the side of government, hesitated in executing the Royal Instruction; the chief justice declined to order arrests on the presentations made to him; the commission did not call for a military force. The Virginia resolves "struck a greater panic into the ministers" than any thing that had occurred since the Stamp Act.[2] It is enough here to state results. The commission held a final session in June, when they agreed upon an elaborate report, in which they conceded that the commander of the "Gaspee," in detaining vessels indiscriminately, exceeded the bounds of his duty, and did this out of a reprehensible zeal. The commission then adjourned.[3] The design of transporting Americans to England was given up. This was the close of the issue of Royal Instructions. It was their mission to rouse a spirit which inaugurated the organization of the popular party.

The patriots had cast the ægis of their inchoate union over the personal liberty of Americans, by securing trial by jury. They triumphed when less than half the assemblies had chosen committees of correspondence. The

[1] Letter (1773) in Life of Stiles, p. 108.

[2] Letter of William Lee, of London, in Campbell's "History of Virginia," 570.

[3] The commission adjourned June 23. The Report is dated the 22d. A letter dated Oct. 8, 1773, in the "Massachusetts Gazette," Oct. 28, says: "The Rhode-Island commission was a measure resolved on before Lord Dartmouth was in office; and, I am well informed, the issue of it has been very acceptable to him."

other assemblies — some because they did not happen to meet — did not choose until another issue arose. In fact political agitation subsided, in the spring, when it was seen that the arbitrary commission did not act; and the public mind became calm when it was abandoned. The publication of a collection of letters, sent by American loyalists to their friends in England, revealing their agency in promoting an obnoxious policy, and returned by Franklin, produced a spasm of indignation; but this soon passed off. The tax on tea was a dead letter. Ordinary Royal Instructions proved an insufficient basis upon which to carry on agitation. The more ardent among the popular leaders, who felt that acquiescence in these instructions as law was criminal, commented severely, in the spring and summer of 1773, on the silence observed in some quarters, and the timidity in others.[1] The Tories exulted in the general apathy. They saw in the non-action a natural relapse, and rejoiced that things were returning to their old channel.[2]

As Samuel Adams reviewed the events of this period about three years later, he remarked that, notwithstanding all that had been said and done, real union had not been reached. It is easy now to see that this was the fact. The cause needed an impulse other than form or personal leadership could give. It needed another aggression, something startling, that should stir feeling, quicken the public pulse, and create a popular tide, which in the nature of a providential current should bear the popular party onward beyond the possibility of a reaction. It was soon supplied by George III. in the Tea Act. It was the case over again of Joseph and his brethren: their design was evil, but it was overruled for good.

[1] Samuel Adams, April 9, 1773, wrote to R. H. Lee that the timidity of some colonies and the silence of others were discouraging.

[2] Massachusetts Gazette (Tory), April 16, 1773. The writer says: "It is curious to recollect how we met together in various towns, how we made speeches, how we threatened, how we drew up resolutions, how we printed them, and wrote essays on liberty and railed against impostors, and burnt effigies, and drank toasts. After this, things returned to the old channel, and we heard no more about Liberty. Some suppose she died about that time."

The popular party were prepared to take advantage of such an impulse. In meeting the Stamp Act, they evoked a sentiment of union; in meeting the Townshend Acts, they created and embodied an intelligent public opinion; and Royal Instructions had produced the fruit of an organization in the committees of correspondence, municipal and legislative, ready to widen out to the breadth of a common union. In this action Massachusetts and Virginia, like two sagacious leaders, went hand in hand. The venerated characters whose names are connected with this step had nothing narrow or selfish in their plans or objects. They embraced common principles. They were impelled onward by great ideas. They aimed to unite all of similar political faith, wherever they were, in the bonds of a common brotherhood.

So much has been written about these famous committees, and especially on the credit due to Massachusetts and Virginia in forming them, that nothing need be added.[1] The narrative now brought down to the month of August, 1773, shews the results effected under the issue of Royal Instructions.

The action of the House of Burgesses followed a season of mutual crimination and disunion; and the prompt acceptance of its invitation by five assemblies was an earnest of harmony and future concert. This, contrasted with the recent division and strife, was like the passage from death to life. Its salutary effect on the cause is attested by abundant contemporary evidence; and it ever afterwards occupied a high place in the minds of the actors as a spring

[1] The statements by Wirt (1817) in his "Life of Patrick Henry," as to the origin of committees of correspondence, were criticised in the "North-American Review" of March, 1818; and interesting details on the subject may be found in Tucker's "Life of Jefferson," i. 52–55, printed in 1837, in Kennedy's "Memoirs of Wirt," 1849, and Randall's "Life of Jefferson," 1858, vol. i. pp. 78 to 81. Randall remarks: "We will not aver that all the colonies acted exactly alike in the opening of that [Revolutionary] struggle. But it is safe to say that the Whigs in all the colonies *felt* substantially alike." I have endeavored, in this chapter and the next, to relate how they acted in the emergencies that arose.

of events. Its opponents ascribed to these committees the effect "in some measure to defeat and counteract the power reserved to the Governor of proroguing and dissolving the assemblies,"[1] by acting in the recess. These committees, however, did not hold conferences with each other, or even correspond with each other, during the issue of Royal Instructions, with a view to maturing a congress, or indeed to any joint action. The design of transporting Americans to England for trial being defeated, there was no emergency calling for extraordinary effort. They restricted themselves to a cordial interchange of circulars and copies of the proceedings of their assemblies. Here they stopped. The value of the movement, up to this time, was in the moral effect of the pledge of union.

The Boston committee held stated meetings. It kept up a correspondence with the committees chosen by other towns. It prepared and circulated political matter. It matured political measures. It thus performed the service which is expected of the committees representing modern parties, by aiming to create and guide public sentiment. The precise character of the work of the committee is seen in its records,[2] which are in fine preservation. Much of this correspondence — which bears an indelible impress of the spirit of the time — has never been printed. The organization extended itself very generally throughout the province. Thus the popular party here were ready for the varied work required by the progress of events, as the Revolution as it

[1] Governor Hutchinson wrote to Lord Dartmouth, July 10, 1773: "Upon the same erroneous principles the assemblies of Virginia, of this province, Rhode Island, and Connecticut, have appointed their respective committees of correspondence, who act in the recess of the courts; and the like committees are expected from the other assemblies when they shall be convened. This in some measure defeats and counteracts the powers reserved to the governors, in what are called the loyal governments, of proroguing or dissolving the assembly at pleasure."

[2] The journals and papers of this committee, forming a portion of the rich collection of Samuel Adams, are in possession of Mr. Bancroft; and I am indebted to his courtesy for a free examination of them. An account of them may be found in the preface to volume six of his great history.

went on, in the way of all revolutions, ordained its own rules of action.

The vast territory possessed by Great Britain in America, reaching from Canada to Florida, and the prosperity of its people, continued to suggest animating speculation. Dr. William Smith said it was impossible for an attentive observer not to behold an empire already planted, which, with careful culture, promised to enlarge itself to vast dimensions, and to give law as well as happiness to every other part of America.[1] President Stiles said that it was most firmly believed that Providence intended a glorious empire in America, which, composed of a people growing up with a fervid love of liberty, would become a phenomenon in the political world worthy of a very serious attention.[2] This speculation was indulged in by Whig and by Tory. It was sent out from the halls of learning; it was inscribed on the page of history; and it was spread as on the wings of the morning in the press. It was the desire and the hope that this empire might be one with Great Britain, in the ideal of Americans, — on the principles of universal liberty, and as the protector of their individual rights and local self-government. As they dwelt on the prospect of such an empire, they exclaimed: "What human imagination can form an idea of the dominion and glory to which our nation might arrive! As the rising sun hides the stars, so would the British empire eclipse all other nations under heaven." This sentiment was so common as to elicit the remark that love of the mother-country was the reigning principle that animated Americans.[3]

[1] Address of William Smith, D.D., Provost of the College and Academy of Philadelphia, in behalf of that Seminary, in "Massachusetts Gazette," March 23, 1772.

[2] President Stiles (Life, 163) to Mrs. Macaulay.

[3] Boston Gazette, Dec. 23, 1771. "To break off our connection with the parent country, before the law of self-preservation absolutely obliges us, is a thought we never harbor in our breasts. The reigning principle which animates Americans is love to Great Britain."

But love of liberty under law was the reigning principle. The high-toned theories of government, the course of the ministry, the arrogance of its champions, its practices with the assemblies, its scorn of popular rights, its treatment of petitions, tended to weaken the attachment to the mother-country. Salient aggressions roused ardent natures to utter thoughts that were the dawnings of a sentiment of nationality.[1] They nurtured the idea that devotion to the cause

[1] The following citations will shew how continuously the idea of an independent nation was presented in the newspapers: —

Boston Gazette, Jan. 6, 1772. An American writes: "The more eligible course for the Americans, and that which they will probably take, is to form a government of their own, similar to that of the United Provinces in Holland, and offer a free trade to all the nations of Europe. . . . If she (Great Britain) still pursues false maxims and arbitrary measures, the Americans will soon dissolve their union with Great Britain. They have all the advantages for independence, and every temptation to improve them that ever a people had."

A piece dated New Hampshire, June, 1772, says: "If no regard is paid to our united complaints, we should be justified in the sight of the world if we sought a remedy in another way. I mean set up a government of our own, independent of Great Britain."

An American in "Boston Gazette," Nov. 2, 1772, says: "The only method that promised any prospect of the preservation of freedom was for the people to unite in remonstrance to the king, and to say that, unless their liberties were restored whole and entire, they would form an independent commonwealth after the example of the Dutch Provinces, secure their ports, and offer a free trade to all nations."

The town of Pembroke (Dec. 28, 1772) said: "If the measures so justly complained of . . . were persisted in and enforced by fleets and armies, they must (we think of it with pain), they will, in a little time issue in the total dissolution of the union between the mother-country and the colonies, to the infinite loss of the former and regret of the latter."

A piece in the "Boston Gazette," Jan. 11, 1773, says: "If the Britons continue their endeavors much longer to subject us to their government and taxation, we shall become a separate State. . . . This is as certain as any event that has not already come to pass."

A Philadelphian, in a paper copied into the "Boston Gazette, March 15, 1773, proposed "that all the colonies should unite in a public manifesto, signifying that the crown and mother-country have broke their faith with us, and therefore we shall break off our connection with them."

The Cambridge Committee of Correspondence, April, 1773, say: "We trust the day is not far distant when our rights and liberties shall be restored to us, or the colonies, united as one man, will make their most solemn appeal to Heaven, and drive tyranny from these northern climes." Cited in Bancroft, v. 456.

"In "The American Alarm, or the Bostonian Plea," a pamphlet, May, 1773, is the following in an address to the king: "The union of the towns in the Province of Massachusetts Government shew that they strongly declare their heart and life engaged for their rights and liberties; that deputies and congresses of the united provinces will soon follow unless, &c. . . . If the parliament continue these destructive plans, . . . the fatal period which we all deprecate cannot be very far distant, when the political union between Great Britain and these colonies will be dissolved."

of justice was a higher obligation than fidelity to the old flag when it was used to cover despotic power. They revolved the saying of a great patriot, that freedom and security, under Providence, depended on themselves.[1] They reasoned that continued regard of the just complaints of the people might have "the valuable tendency to make the next effort for freedom savor more of that virtue and valor for which Englishmen in former ages had been justly renowned, and might turn the Great People to call on the name of the Lord, and to seek a redress of their grievances with the spear and lance at that glorious seat of justice where Moses brought the Egyptians and Samson the Philistines."[2] They averred that if the ministry persisted in its policy, the Americans would be justified in the eyes of the world in forming an independent nation; that it was morally certain this would eventually take place; that the only question was, how long it would be before that event should transpire: but by all the signs of the times and appearances of things it was very near. "'Tis not probable that it is at the distance of fifteen years."[3]

The specific demand, however, was for union and a congress, — the specific object aimed at was a redress of grievances; for the springs of action were not love for the bloody work of revolution or hatred of the mother-country. It was reasoned: "Have not the Americans as good a right to form a union now as they had during the Stamp Act, and as the New-England colonies had during the infancy of the country? And is it not a legal, peaceable, and the most likely method of obtaining a full redress of our grievances?"

[1] The "New-Hampshire Gazette," June 18, 1773, said: "It is in vain for us to expect that our liberties in America will be supported by men in Great Britain; and it was long since truly said by a great patriot (Hon. Mr. Adams, representative of Boston) 'that our freedom and security, under Providence, depended on ourselves.'"

[2] Boston Gazette, Oct. 12, 1772.

[3] Boston Gazette, March 2, 1772.

And it was urged that such a union, firm and perpetual, would be a sure foundation for freedom, and the great basis for every public blessing. All were enjoined "to prepare to act as joint members of the grand American Commonwealth."

CHAPTER VIII.

How Events developed the American Union, and How the Demand for a General Congress was accompanied by Pledges to abide by its Decisions.

August, 1773, to August, 1774.

The popular party so effectually resisted arbitrary power as embodied in Royal Instructions, that the ministry abandoned their design of transporting Americans to England for trial through the Rhode-Island commission, and before half the assemblies had chosen committees of correspondence; when political agitation subsided. It was soon renewed by the Tea Act, and intensified by the Boston Port Act, when there was a general development of union; which was embodied in committees of correspondence, a movement for a congress, and pledges to make its decisions a rule of action.

The people were generally prosperous in business affairs, and desired peace. A town under the lead of zealous Whigs voted that the union between the colonies and Great Britain was not worth a rush; occasionally a writer urged in an essay in the newspapers that the only way to place American liberty on a firm foundation was to form an independent nation: but these were the views of extremists, and were generally disavowed. The great body of the Whigs united with the Tories in prizing this union as of incalculable value. They regarded themselves as fellow-subjects with Britons. They looked on the people of both countries as being one in the essential elements of nationality, political ideas, language, and the Christian religion; and one in the love of a noble lit-

erature and precious historic memories. They kindled at the sight of the old flag and at thoughts of the mother-land, —

> "A land of just and old renown,
> Where freedom broadens slowly down
> From precedent to precedent;"

and it was the prevailing sentiment that a recognition of co-equal rights would enable the people of both countries to live long under the same flag. The popular leaders averred that they did not deny the sovereignty, but opposed the administration. They did not ascribe the obnoxious measures to the king whom they revered, or to the Constitution which they venerated, or to the nation which they loved, but to despotic ministers and corrupt majorities. They had thwarted arbitrary power, whether attempted by the crown or by the legislature, and this was enough; and when the people saw that the Rhode-Island commission, formed to deal with the destroyers of the "Gaspee," did not act, political agitation subsided.

The colonists were in the habit of expressing loyalty to George III. in letters written in the confidence of friendship as well as in their state papers; and the king knew this;[1] but he continued to deal with what he termed "the internal police, the trade and the improvement of America,"[2] in the spirit that dictated the Bute policy. He had been trained up in the idea that it was his duty to be every inch a king in his native realm, and much more over his dependencies.[3] He was the real head of the responsible government, and the sole dictator of its policy;[4] and when measures which he so largely inspired were opposed by his American subjects as unwarranted by the Constitution, he became bitter in his

[1] Letter of Franklin to Samuel Cooper, April 27, 1769. He says: "I hope nothing . . . will diminish our loyalty to our sovereign or affection for this nation. I can scarcely conceive a king of better dispositions," &c. This letter, with others, was intercepted, and sent to the king. — Sparks's Franklin, vol. vii. 440.

[2] Donne's Correspondence of George III., i. p. 107.

[3] Ibid., ii. p. 4.

[4] Massey, History of England, ii. 178.

feelings towards them, and was fixed in his determination by any means to produce submission. He was unfortunate in having for his chief adviser Lord North, who lacked firmness, and hence consented to measures from which his good sense often recoiled. He was more unfortunate in Lord North's colleagues, Lords Mansfield, Sandwich, George Germaine, in his Attorney-General, Thurloe, and Solicitor-General, Wedderburne, — violent men whose sentence was for war, or corrupt men who thought only of what was pleasant to the king; and he was most unfortunate of all in reigning over a people a majority of whom shared fully his sentiments.

When Lord Dartmouth took charge of the American department, the king sent to Lord North a sketch of such alterations in the administration of its affairs [1] as he thought essential to give efficacy to the government. The first-fruit of this advice was probably the Rhode-Island commission. The king's next measure related to the duty on tea. This was inoperative. The Americans would not buy teas shipped from England: they would not live without tea; and hence illicit importations came in freely from Holland. The affairs of the East-India Company were in great confusion, and a portion of its financial troubles was alleged to be owing to the loss of the American trade in tea. The king now suggested a plan to relieve the corporation, and at the same time try the question with America.

Lord North in the House of Commons proposed (April 27, 1773) "to allow the company to export such portion of the tea then in their warehouses, to British America, as they should think proper, duty free." He moved two resolutions, providing that on all teas imported to any British Plantations in America after the 10th of May, 1773, "a drawback be allowed of all the duties of customs paid upon the importation of such teas," which left the company to pay the threepence tax on the teas imported into America; and the resolutions provided that this importation should be made under

[1] Donne's Correspondence of George III., i. p. 107.

licenses from the commissioners of the Treasury.[1] The measure roused no opposition, occasioned little, if any, debate, and was adopted. It was carried to the House of Lords on the 6th of May, adopted there also, and on the 10th received the royal assent. The ministry thought it a wise scheme to take off so much duty on tea as was paid in England, as this would allow the company to sell tea cheaper in America than foreigners could supply it; and to confine the duty here, to keep up the exercise of the right of taxation. "They," Franklin wrote, "have no idea that any people can act from any other principle but that of interest; and they believe that three pence on a pound of tea, of which one does not perhaps drink ten pounds in a year, is sufficient to overcome all the patriotism of an American."[2] In arranging the details of the execution of the scheme, difficulties arose which required the directors to confer with the ministry. In one of the interviews Lord North remarked that "it was to no purpose making objections, for the king would have it so. The king meant to try the question with America."[3] Thus "taxation," Lord Chatham said, "was dressed in the robes of an East-India director." Soon after, the king, as an answer to late petitions from the colonies, reaffirmed the claim of power of the Declaratory Act, and said that he was determined "to resist with firmness every attempt to derogate from the authority of the supreme legislature." A semi-official announcement appeared in the newspapers to the effect that His Majesty had declared his intention of supporting the supreme authority of parliament to make laws binding on the colonies.[4] Thus the monarch reopened the war on a fundamental principle in the institutions of a free people.

The opposition to arbitrary power was never founded so much on knowledge and principle, was never so firm and

[1] Parliamentary History, xvii. 841.
[2] Sparks's Works of Franklin, viii. p. 49.
[3] Almon's Anecdotes of Chatham, ii. 242.
[4] Boston Post Boy, Nov. 5, 1773.

systematic, as it was at the time of the passage of this Act. Little was said of it for several months, for little was known of the intentions of the company. Some of the members remonstrated against accepting the boon, which they regarded as rather designed to establish a revenue law than to help them out of their difficulties.[1] The directors, however, in August obtained licenses from the Lords of the Treasury, and soon despatched ships loaded with teas to the four ports of Boston, Charleston, New York, and Philadelphia. It is worthy of remark that Franklin does not appear to have mentioned in his letters the application for licenses until September,[2] nor Arthur Lee until October.[3]

Before these letters were written, the Tea Act had begun its mission. In August[4] the report was current in America that importations under it were to be carried into effect. The scheme was pronounced an attempt to establish the right of parliament to tax the colonies and to give the East-India Company the monopoly of the colonial market. As it bore on all the colonies, it diverted attention from the local issues, raised the past three years by Royal Instructions, to the original, general, and profound question of taxation. This had been argued in the court of public opinion: the verdict on it had been made up, and judgment had been rendered. The

[1] "The Annual Register" (vol. xvii. 47, 1774) says that several of the active members remonstrated that the Act was rather calculated for the establishment of the revenue law in America than as a favor to the company.

[2] Franklin, Sept. 12, 1773, wrote to Thomas Cushing: "A project is executing to send it (tea) from hence, on account of the East-India Company, to be sold in America, agreeable to a late Act." — Sparks's Franklin, viii. 86.

[3] Arthur Lee, Oct. 13, 1773, wrote a letter to Samuel Adams. In a postscript he says: "I had forgot to mention a scheme, which is carrying into execution, of insidiously obtaining from us the duty on tea." — Life of Arthur Lee, i. 236.

[4] The "New-Hampshire Gazette," Aug. 27, 1773, has an extract from a letter from London, dated May 26: "I take the first opportunity of acquainting you that the East-India Company have obtained leave, by act of parliament, to export their teas from England duty-free; and in a short time, perhaps a month, a cargo will be sent to Boston (subject to the duty payable in America), to be sold in that place on their account; and they mean to keep America so well supplied that the trade to Holland for that article must be greatly affected." A London letter dated August 4, printed in a Philadelphia newspaper of September 29, announced that the company were about to send teas to several ports.

determination of the Americans not to pay a tax levied by a body in which they were not represented was as fixed as the purpose of the king to collect the duty on tea. A recent British writer and legislator has lately said that this determination showed great cleverness, as the abstract proposition which the patriots held was undeniable, because no nation ought to be taxed against their own consent, and "England passed through many a civil war in defence of the proposition."[1] The Americans of to-day will say that their ancestors showed great intelligence in being alive to these weighty considerations founded on right and justice, when the dominant party in England was dead to them, and a heroic spirit in acting up to their convictions. The scheme suddenly roused more indignation than had been created by the Stamp Act. "All America was in a flame." The mighty surge of passion plainly meant resistance.[2]

The resistance contemplated was in general such action as might be necessary to thwart by lawful methods this ministerial measure. The idea had been grasped in America that there was a Constitution which limited the power of kings, lords, and commons. James Otis had urged that, "if the reasons that could be given against an Act are such as plainly demonstrated that it is against natural equity, the executive courts would adjudge such Acts void."[3] The conviction was deep and general that the claim of parliament to tax was against natural equity and against the Constitution, but political science had not devised the peaceable mode of obtaining redress in such cases in the manner suggested by

[1] Viscount Bury, M.P., "Exodus of the Western Nations," 1865 (vol. i. 368), says: "The choice of a pretext (for their resistance) showed great cleverness on the part of the American patriots. It put them in the right. The abstract proposition for which they fought was undeniable. No nation ought to be taxed against its own consent. England has passed through many a year of civil war in defence of the proposition."

[2] The transition from apathy to agitation was sudden. A Philadelphia letter, dated October 25, says: "Our people are alarmed at the scheme of shipping teas. . . . I have not known so sudden and so universal an appearance of discontent." — Edinburgh Advertiser, Jan. 4, 1774.

[3] Otis's Rights of the Colonies, 1764.

Otis,— an idea embodied subsequently in the powers vested in the Supreme Court of the United States, and familiar to the American mind, which to-day declares such legislation void; and the only way to defeat an odious scheme to collect an illegal tax was to follow the methods, as circumstances might dictate, of popular demonstration, which had long been customary in England, and thus render the law inapplicable.

At that time the six legislative committees chosen under the impulse created by arbitrary royal instructions had not exchanged views, much less held a conference, in relation to a general plan for a redress of grievances: the committees chosen by towns or public bodies outside of Massachusetts were inactive; and hence the organization of the popular party was too incomplete to arrive, through this channel, at the concert of action which the crisis required. There could only have been such understanding as might have been reached through limited personal intercourse, private letters, and the expression of sentiment through the press, which was valuable as far as it went;[1] and it was to the effect that nothing important be transacted without consulting the whole. The efficiency that could not come from general organization was supplied by the ripeness and fixedness of public opinion on the assumption involved in the claim of taxation and the Declaratory Act, and the stern determination of the people not to submit to it. They did not rise up against the paltry duty because they were poor and could not pay, but because they were free and would not submit to wrong.

Still there was the efficiency of organic life in Massachusetts, where it was needed the most, where the brunt of the attack happened to fall, and where failure or even faltering would have been disaster. The record of its committees of correspondence shows them continually at work, and that

[1] Boston Gazette, Sept. 27, 1773. "We have now reduced American policy to a system."

through them the communion of the popular party had become intimate. They urgently desired the patriots of the other colonies to adopt their plan. The Boston committee directed (Sept. 21, 1773) a spirited Circular, drawn up by Joseph Warren, to be sent out to all the towns of the province; but each member was charged with the duty of sending a copy "to his friends in the other governments." In this they said that their enemies were alarmed at the union already established in Massachusetts, and at the prospect of the confederacy into which the whole continent would soon be drawn for the recovery of violated rights: they urged that watchfulness, unity, and harmony were necessary for the salvation of themselves and their posterity from bondage; and they concluded with the remark: "We have an animating confidence in the supreme Disposer of events, that he never will suffer a brave and virtuous people to be enslaved."[1]

Though the six legislative committees were inactive, yet the opposition to the scheme to import teas was pronounced more general — it could not have been more determined — than it was to the Stamp Act.[2] The popular movement since that time had been more regular and progressive. There was now the power of an intelligent public opinion behind the determination to baffle the attempt to establish the tea duty. The manifestations in each of the four ports to which the teas were consigned, printed in the newspapers, constituted strong assurances that the patriots in each felt, talked, and acted in a similar spirit, and that the teas would not be allowed to be sold, even if they were permitted to be landed. The decisive tone in each warrants the remark that the question as to which should be the first to thwart the minis-

[1] A copy of the Broadside containing this letter is in the archives of the Massachusetts Historical Society.

[2] Joseph Reed (Life, i. 52) informed Lord Dartmouth that the opposition to the Stamp Act was not so general. It was more regular. George Chalmers remarks in his letter to Lord Mansfield that, "though the opposition to the Stamp Act was outrageous, it contained more bluster than spirit." — Sparks's MSS. in Harvard College Library.

terial scheme depended on the port selected for the earliest consignment. Before this was certainly known, there were great popular demonstrations.

The patriots of Philadelphia, early in October, circulated an "Address to the Tea Commissioners," in which it was said that the eyes of all were fixed on them as on men who had it in their power to ward off the most dangerous stroke that had ever been meditated against the liberties of America, and it appealed to them in passionate terms to decline to act. It pointed to the unhappy stamp-masters as examples of the danger of forcing "the loathsome pills of slavery down the throats of a free, independent, and determined people."[1] Soon after (October 18) a great public meeting at the State House resolved that the duty on tea was a tax imposed on the colonists without their consent, and tended to render assemblies useless; that the importation of the East-India Company was an attempt to enforce this tax; and that whoever countenanced the unloading, vending, or receiving the tea, was an enemy to his country. The consignees, on being requested, resigned their commissions. These proceedings of the patriots, full of spirit, dignity, and patriotism, were circulated through the colonies.

Similar resolution was manifested in each of the four ports. The Boston patriots held great and exciting public meetings in Faneuil Hall, adopted the Philadelphia resolves, and requested the consignees to resign; but met with a peremptory refusal. The New-York patriots held a meeting in City Hall, highly approved of the action of their brethren of Philadelphia and Boston "in support of the common liberties of America," and voted that the tea under any circumstances should not be landed there. The Charleston patriots, at a meeting in their Great Hall, received the resignation of the

[1] This was issued on a Broadside, and was copied into the newspapers of Philadelphia and New York. It was signed Scevola, and had the head-line, "By uniting we stand, by dividing we fall." It is addressed, "To the commissioners appointed by the East-India Company for the sale of tea in America." It is in the "Boston Post Boy" and "Boston Gazette" of October 25.

consignees with rounds of applause, and returned them many thanks. The voluminous details of the proceedings in these commercial marts, and in other places, on this issue, evinced everywhere indomitable energy and resolution. They exhibited communities, recently hurling anathemas against each other, now feeling and acting alike,—one in the determination to thwart "the new ministerial measure."

In Boston, the course of the consignees, in refusing to resign, fixed all eyes upon the town. The aspect became so threatening that the legislative committee of correspondence were summoned to meet. They sent a Circular (October 21) to the other committees, reviewing in a calm tone, but in strong terms, the question between the colonies and Great Britain. They stated that even the least relaxation of American grievances had not been advised or thought of, and asked: "Is it not of the utmost importance that our vigilance should increase; that the colonies should be united in their sentiments of the measures of opposition necessary to be taken by them; and that in whichsoever of the colonies any infringements are or shall be made on the common rights of all, that colony should have the united efforts of all for its support? This, we take it, to be the true design of the establishment of our committees of correspondence;" and, averring that they were far from desiring that the connection between Great Britain and America should be broken, they conclude by urging the necessity that each colony should take effectual methods to prevent the execution of the design of the British ministry as to the teas.[1] A few days later, the Connecticut committee in a Circular (Nov. 4, 1773) said that the design of sending teas to the several ports gave them the most uneasy apprehensions of the consequences, though they had "the utmost confidence in the firmness and virtue of the

[1] This letter contained the following postscript: "It is desired you would not make the contents of this letter public, as it will give our enemies opportunity to counteract the design of it." A portion of this letter is printed, though very incorrectly, in Bradford's History of Massachusetts, i. 277-280.

inhabitants of those capital towns on this occasion." I have not met with any replies to these circulars. The language of the Massachusetts letter implies that no communications on the subject had passed between the committees.

The patriots of Boston were unwearied in their efforts to produce the resignation of the consignees, and in this they were aided by some of their political opponents. The numbers who attended the great public meetings were swelled by men who came in from the country. The executive action, by the vote of a legal town meeting, was put into the hands of the committee of correspondence, which from time to time called in for consultation the committees of the neighboring towns, — proceeding, Hutchinson said, "like a little senate." They kept up a communication with the towns of the province; they explained their course in letters sent to Rhode Island, New Hampshire, New York, and Philadelphia; they sent expresses to the South to confer with the patriots there; and they were inspired by the idea that "harmony and concurrence in action, uniformly and firmly maintained, must finally conduct them to the end of their wishes, — namely, a full enjoyment of constitutional liberty." In a long, anxious, and irritating contest with the officers of the crown, the Bostonians stood forth, "like their native rocks, angular, sharp, and defiant." Their proceedings gave great joy to the patriots in the other colonies. On the reception in Philadelphia of the news of the first meeting, the bells were rung, and the merchants greeted the resolves with hearty cheers. Still there were doubts expressed whether the love of money would not prove stronger than love of the cause. A Philadelphia letter printed in Boston runs: "All we fear is that you will shrink at Boston. May God give you virtue enough to save the liberties of your country."

In this way the progress of events served to fix attention more and more on Boston; and its patriots could see in expressions from the other colonies that they were relied on to act with firmness and efficiency. When the struggle to

compel the consignees to resign had gone on nearly a month, a vessel containing the tea arrived (November 28th) in the harbor, and in a few days two others, which the patriots directed to be moored near the first, that one guard might serve for all, their object being to prevent the cargoes from being landed. They now concentrated their efforts to have the teas sent back in the ships that brought them. The excitement increased. "The town," Governor Hutchinson wrote, "is as furious as it was in the time of the Stamp Act." The patriots apprehended that the consignees and the officers of the revenue might attempt to unload the ships, and that the naval force might be summoned to protect them; and such was the spirit that prevailed that they talked of resisting by arms. An American matron, the wife of one President and the mother of another, who adorned a home in which such leaders as Quincy and Warren were wont to meet, now wrote: "The flame is kindled, and like lightning it catches from soul to soul. . . . Many, very many of our heroes will spend their lives with the speech of Cato in their mouths. . . . My heart beats at every whistle I hear, and I dare not express half my fears."[1] The public meetings became greater than ever. John Hancock, Samuel Adams, Joseph Warren, Thomas Young, and William Molineaux were the most prominent in conducting them. The selectmen of the town now took part in the proceedings. The ships with the tea in them could not pass the castle without a permit from the Governor. He would not grant one before they were regularly cleared at the custom house, and the collector declined to give a clearance until the vessels were discharged of articles subject to duty. All the efforts of the patriots in their long struggle had produced from the consignees only a repetition of the

[1] Letter of Abigail Adams, wife of John Adams, dated Boston, Dec. 5, 1773 (Letters, p. 9). John Andrews, Dec. 1, wrote: "It would puzzle any one to purchase a pair of pistols in town, as they are all bought up with a full determination to repel force by force." He says the arrival of the tea "had caused the most spirited and firm conduct to be observed that ever was known."—Mass. Hist. Soc. Proceedings, 1864-65, 324.

original peremptory answer, "No resignation," and a refusal to return the teas. A vessel twenty days after her arrival in port was liable to seizure for the non-payment of the duties; and this would be the case of the "Dartmouth" on the sixteenth day of December.

It was a rainy day. No hand-bills are named as having been posted; no stirring appeals to do an uncommon work are to be seen in the newspapers; but the feeling was general that something unusual was to occur. The patriots had a committee charged with the duty of summoning people from the country when it should be necessary, and they probably had been active. A great meeting, held two days before, stood adjourned to this day (December 16th), which was Thursday. Business in town was generally suspended. The inhabitants in the morning flocked to "The Old South Meeting House," still standing. They were joined by people from the country for twenty miles around. The gathering consisted of nearly seven thousand, — "merchants, yeomen, gentlemen, — respectable for their rank, and venerable for their age and character." The forenoon was occupied mostly with dealing with Francis Rotch, the owner of the "Dartmouth," who was informed that he was expected to procure a pass from the Governor and proceed on this day with his vessel on his voyage for London. The meeting adjourned to three o'clock in the afternoon. A motion was then submitted whether it was the sense of the body to abide by their former resolutions not to suffer the tea to be landed; and on this question Josiah Quincy, Jr., spoke as follows: —

"It is not, Mr. Moderator, the spirit that vapors within these walls that must stand us in stead. The exertions of this day will call forth events which will make a very different spirit necessary for our salvation. Whoever supposes that shouts and hosannas will terminate the trials of the day entertains a childish fancy. We must be grossly ignorant of the importance and value of the prize for which we contend; we must be equally ignorant of the power of those who have

combined against us; we must be blind to that malice, inveteracy, and insatiable revenge, which actuate our enemies, public and private, abroad and in our bosom, to hope that we shall end this controversy without the sharpest, the sharpest conflicts, — to flatter ourselves that popular resolves, popular harangues, popular acclamations, and popular vapor will vanquish our foes. Let us consider the issue. Let us look to the end. Let us weigh and consider before we advance to those measures which must bring on the most trying and terrific struggle this country ever saw."[1]

Thomas Young and Samuel Adams also spoke to this motion, but their words are lost. It was said, "Now that the hand is at the plough, there must be no looking back." At half-past four the motion passed that the tea should not be landed. The meeting was patient, orderly, and surprised strangers who viewed the scene. It refused to dissolve on the earnest request of many who desired that it should be continued until six o'clock.

Meantime a band of forty or fifty met in a room in the rear of the printing-office of the "Boston Gazette," at the corner of what are now Court and Brattle Streets. No authentic list of their names has appeared. Nothing is known of their organization. They were said that evening to have been Indians from Narragansett. "Whether," an observer wrote, "they were or not, they appeared as such, being clothed with blankets, with the heads muffled, and with copper-colored countenances, being each armed with a hatchet or axe, and a pair of pistols; nor was their dialect different from what I conceive those geniuses to speak, as their jargon was unintelligible to all but themselves."[2] This indicates the nature of their preparation. Undoubtedly they acted with the knowledge of the committee of correspondence, and were awaiting the result of the meeting. The

[1] These remarks are copied from Gordon, i. 340, printed in London, 1788.

[2] John Andrews's letter, Dec. 19, 1773, in Mass. Hist. Soc. Proceedings, 1864–65, p. 26.

preparation was sufficient to secure prompt and thorough work.

In the afternoon Rotch was at Milton, the country seat of Governor Hutchinson. He went there to ask once more for a pass to enable his ship with the tea in her to get by the castle. The Governor inquired as to the intention of the people respecting the teas, and was informed that they meant to force them back to England. After a little time Hutchinson sternly repeated his refusal to grant the pass, saying that he could not do it consistently with the rules of government and his duty to the king, unless the vessel was properly cleared. This answer closed the last opportunity for concession, which he unwisely declined.

About six o'clock Rotch returned to the Old South, which was dimly lighted with candles and filled with people, many also standing in the streets. He stated the result of his application to the Governor for a pass. On slight manifestations of disorder, Thomas Young rose and said that Rotch was a good man who had done all that was in his power to gratify the people; and they were enjoined to do no harm to his person or his property. He was then asked "whether he would send his vessel back with the tea in her, under the circumstances." He replied, "he could not possibly comply, as he apprehended compliance would prove his ruin;" and confessed that, "if called upon by the proper officers, he should attempt, for his own security, to land the tea." Samuel Adams then said: "This meeting can do nothing more to save the country." A war-whoop was now sounded at the door, which was answered from the galleries. The shouting became tremendous. Silence was enjoined. The meeting was declared by the moderator dissolved, when there was another general shout out of doors and in, and three cheers. A citizen, who on endeavoring to enter could get no further than the porch, says: "What with that, and the subsequent noise of breaking up the meeting, you would have thought that

the inhabitants of the infernal regions had broke loose."[1] As the party from whom rose the war-whoop passed the church, numbers naturally followed on; and the throng went directly to Griffin's Wharf, now Liverpool, at the foot of Purchase Street, off which were moored the three vessels which contained the tea. A resolute band had guarded them day and night. John Hancock was one of the guard this evening. The party in disguise, — probably his friend Joseph Warren was among them, — whooping like Indians, went on board the vessels, and, warning their officers and those of the custom-house to keep out of the way, unlaid the hatches, hoisted the chests of tea on deck, cut them open, and hove the tea overboard. They proved quiet and systematic workers. No one interfered with them. No other property was injured; no person was harmed; no tea was allowed to be carried away; and the silence of the crowd on shore was such that the noise of breaking the chests was distinctly heard by them. "The whole," Hutchinson wrote, "was done with very little tumult." The town was never more still of a Saturday night than it was at ten o'clock that evening. The men from the country carried great news to their villages.[2]

Joy, as for deliverance from calamity, now burst in full chorus from the American heart.

The local exultation was extreme. "You cannot imagine," Samuel Adams wrote, "the height of joy that sparkles in the eyes and animates the countenances as well as the hearts of all we meet on this occasion."[3] "This," John Adams said, "is the most magnificent movement of all.

[1] John Andrews, Dec. 19, 1773. He was summoned, by "prodigious" shouting, from his tea-table; could get no further than the porch; heard the moderator declare the meeting dissolved, and then returned home and finished his supper. On being informed of what was going on, he went again. He saw the disguise of the party, and was told they numbered two hundred, — a larger number than any other authority gives. The usual statement is forty or fifty.

[2] Joseph Warren bore a part in the series of meetings, public and private, held in Boston in relation to the importation of the tea; and the narrative of their events in the "Life and Times of Warren" occupies fifty pages.

[3] Letter, Dec. 31.

There is a dignity, a majesty, a sublimity, in this last effort of the patriots, that I greatly admire."[1] "We," John Scollay, one of the selectmen and an actor, wrote, "do console ourselves that we have acted constitutionally,"[2] — namely, did no more than was necessary, under the circumstances, to defeat the design of landing the teas.

The exultation was scarcely less outside of Massachusetts. In New York "vast numbers of the people collected, and highly extolled the Bostonians."[3] In Philadelphia the bells were rung, a large public meeting voted "the most perfect approbation, with universal huzzas;" and subsequently, when five thousand people met, they "returned their hearty thanks to the people of Boston for their resolution in destroying the tea, rather than suffering it to be landed."[4] A letter from North Carolina contained the assurance "that the deed was the only remedy left to save the colonies from destined slavery, and that the actors, beside the satisfaction arising from a conscientious discharge of duty due to posterity, had the approbation of the whole continent."[5] It was the boldest stroke that had been struck in the controversy between the colonies and the mother-country; and bold measures in the right direction are sure to be popular. As events developed, some of the Whigs hesitated to approve this deed, and some counselled the payment of the value of the property destroyed; while the Tories condemned it in unmeasured terms. In a deliberate review of the train of events leading to it, Gordon says that the deed was necessary to save

[1] Diary, Dec. 17, 1773. Works, ii. 323.

[2] John Scollay to Arthur Lee, Dec. 23, 1773.

[3] "Boston Gazette," Jan. 3, 1774, which says the bells of the town were rung on receiving the intelligence from New York.

[4] "Boston Gazette," Jan. 10, 1774, after William Palfrey had returned.

[5] The "Boston Gazette," of March 28, 1774, has an extract from a letter of a gentleman of distinction in North Carolina, dated Pitt, Feb. 18, 1774: "I read with much satisfaction the account of the destruction of the tea, as it was, I think, the only remedy left to rescue the colonies from their destined slavery. You labor under some difficulties more than your neighbors; but the satisfaction of a conscientious discharge of the duty you owe to posterity, together with the approbation of the whole continent of your conduct, is a sufficient reward."

the union; and Dr. Ramsay, going deeper, gives the judgment that, if the American position was right in relation to taxation, the destruction of the tea was warranted by the great law of self-preservation: "for it was not possible for them by any other means, within the compass of probability, to discharge the duty they owed to their country."[1] The important "if" of Ramsay is disposed of by the judgment of the liberal world. Even British writers concede that the claim of Americans was right beyond question.

The Tea Act had the effect to make this question of taxation a living issue. The opposition to the British assumption in relation to it, as before remarked, was spontaneous, general, irresistible. "Popular movements have commonly been ascribed to the principal actors in them as to their authors; but the utmost that can be accomplished by individuals, in such cases, is merely to avail themselves of a happy predisposition in the public mind, to give form and consistency to loose opinions, and to bring to the aid of an infant sect or party the weight of talent, learning, and character, or station. They may thus strengthen and direct the current."[2] The popular leaders now sought to give direction to a great movement; or to take advantage of a happy disposition in the public mind and extend the organization of committees of correspondence.

The assemblies in doing this acted on the original invitation of the House of Burgesses, and generally used the words of their resolves in specifying the object sought. The Georgia assembly chose in September, when the people were engaged in carrying on a war against the savages; the

[1] "Had the tea been landed, the union of the colonies in opposing the ministerial schemes would have been dissolved; and it would have been extremely difficult ever after to have restored it." — Gordon, i. 342.

"Admitting the rectitude of the American claims of exemption from parliamentary taxation, the destruction of the tea by Bostonians was warranted by the great law of self-preservation; for it was not possible for them by any other means, within the compass of probability, to discharge the duty they owed to their country." — Ramsay's History of American Revolution, i. 121.

[2] Brodie's History of the British Empire, i. 48.

Maryland assembly chose in October, when the internal dissension occasioned by the Proclamation controversy had hardly subsided, saying in their Circular that they were sensible of the great utility of a union of the colonies; the Delaware assembly also chose this month; the North-Carolina assembly chose in December; and the New-York and New-Jersey assemblies chose in February. The assemblies returned warm thanks to the House of Burgesses "for their early attention to the liberties of America." Their committees did not hold a conference during the winter of 1773–74, or mature a plan for joint action, or do more than exchange a few letters; and the only references I have met, in this limited correspondence, to the issue raised by the Tea Act, are those contained in the letters of the committees of Massachusetts and Connecticut, already cited in the narrative.[1]

[1] The dates of the choice of committees of correspondence by six assemblies have been given. See note, p. 284.

The Georgia "commons" chose Sept. 10, 1773, and were "the speaker and any five of the committee of correspondence." The letter to the House of Burgesses, dated Nov. 20, was signed by William Young, Noble Wimberly Jones, Joseph Clay, D. Zubley, Jr., William Coutts. A public meeting, July 27, 1774, chose a committee which McCall (History of Georgia, 2) terms the formation of the Republican party. This meeting was denounced by a Proclamation of Governor Wright.

The Maryland assembly chose a committee October 15, 1773; viz., Matthew Tighlman, John Hall, Thomas Johnson, William Paca, Samuel Chase, Edward Lloyd, Matthias Hammond, Josiah Beale, James Lloyd Chamberlaine, Brice Thomas, Beale Worthington, Joseph Sim, or any six. The letter to the Burgesses communicating the choice is dated Dec. 6, 1773. It is stated in the "Essex Gazette" of Feb. 11, 1774, that this assembly had come into resolves similar to those of the other colonies.

The Delaware assembly chose a committee Oct. 23, 1773. The members who signed the reply to the Burgesses were the speaker, Cæzar Rodney, George Read, Thomas McKean, John McKinley, and Thomas Robeson. The announcement of the choice of a committee is in the "Massachusetts Gazette" of Nov. 8.

North-Carolina assembly chose Dec. 8, 1773. The committee were "John Harvey, Mr. Howe, Mr. Harnett, Mr. Hooper, Mr. Caswell, Mr. Vail, Mr. Ash, Mr. Hewes, and Samuel Johnston. The answer to the Burgesses is dated Dec. 26, and is signed by John Harvey. The fact of the choice of the committee is stated in the "Massachusetts Gazette," Feb. 21, 1774.

The New-York assembly chose a committee Jan. 20, 1774. It is stated in the "Essex Gazette," Feb. 17, that this committee consisted of the speaker and twelve other members. The reply to the Burgesses is dated March 1. The names given are John Cruger, James De Lancy, James Janney, Jacob Walton, Benjamin Sea-

The popular party, in their several municipalities, proceeded independently in forming committees. The earliest towns named in the newspapers as choosing were Dover, Exeter, and Newcastle, in New Hampshire. They reiterated in spirited resolves the sentiment that taxation without representation was slavery, and approved of "the noble struggles of the opulent colonies" to avert so great "a catastrophe." So general was this movement that it was said in the press that the manly and patriotic proceedings of the people of the province would convince all that "they were American freemen, and were fired with the glorious spirit of freedom which lightens this Western World."[1] Several towns in Rhode Island, among which were Providence and Newport, chose committees, as did also a meeting in New York, at which John Lamb presided. These committees and others entered into correspondence relative to the tea importation.

The resistance to the ministerial scheme in this way was general, systematic, and thorough. The newspapers contain much matter relative to the reception of the cargoes at the ports to which the tea was consigned. In Philadelphia, at an hour's notice, five thousand met, and resolved that a cargo should not be landed, but should go back in the same bottom. The captain and the consignees bowed to the popular will, and a vast concourse escorted them to the tea ship and saw her sail. In New York it was announced in the Tory organ that arrangements were made to have the tea sent back in the same ship, and thus New York be secured "a succession of that blessed tranquillity which they enjoyed under the present wise and serene administration."[2] In

man, Isaac Wilkins, Frederick Phillips, Daniel Kissam, Zebulon Seaman, John Rapalse, Simeon Boerum, John De Noyelles, and George Clinton, or any seven.

The New-Jersey assembly chose a committee Feb. 8, 1774; namely, James Kinsey, Stephen Crane, Hendrick Fisher, Samuel Tucker, John Wetherell, Robert Friend Price, John Hinchman, John Mehelm, and Edward Taylor. — Gordon's New Jersey, 154.

The Pennsylvania assembly did not choose a committee.

[1] Essex Gazette, Jan. 18, 1774.

[2] Rivingston Gazette, copied into "Massachusetts Gazette," Jan. 3, 1772.

Charleston a great meeting on the arrival of the cargo appointed a committee, — on which were Christopher Gadsden, Charles Pinckney, and Charles Colesworth Pinckney, — to inform the captain that the teas must go back; but the ship was delayed beyond the twenty days, when the collector seized the vessel and stored the tea in a damp cellar, where it was destroyed. There were similar dealings with the teas in other places. The scheme was thoroughly defeated.

The unity of spirit and harmony of action of the popular party once more excited the liveliest hopes. Samuel Adams, reflecting on the increasing intercourse between the colonies, remarked that old jealousies had been removed, and harmony subsisted between them, and also that the institution of committees of correspondence would be attended with great and good consequences.[1] The friend always by his side, Joseph Warren, enthusiastic over the prospect of union, wrote: "We can never enough adore that Almighty Disposer who has, as it were, by general inspiration awakened a whole continent to a sense of their danger."[2] The ardent hoped to see a congress grow out of the movement. This measure was earnestly advocated in the press. "It is now time," a writer says, "for the colonies to have a grand congress to complete the system for the American independent commonwealth, as it is so evident that no other plan will secure the rights of this people; for this would unite all Americans by an indissoluble bond of union, and thereby make them formidable and superior to any kingdom upon earth."[3]

[1] Letter to James Warren, Dec. 28, 1773. The "Boston Gazette" of Jan. 10, 1774, says: "The united spirit of the people of South Carolina, Philadelphia, New York, this Province, &c., in opposing the subtle design of the British administration, to make the East-India Company the instruments in establishing the revenue and thus enslaving the continent, forebodes a happy union of counsels among the several colonies by means of their committees of correspondence."

[2] Letter, Jan. 24, 1774, in "Life and Times of Warren," 290.

[3] This citation is from a piece in the "Boston Evening Post" of March 14, 1774. It recommends that in future the colonies should "proffer petitions to none but the King of Heaven." It concludes as follows: —

"It is now time for the colonies to have a Grand Congress to complete the system for the American Independent Commonwealth, as it is so evident that no other plan will

This line of remark suggesting an American commonwealth, indulged in by a few, constituted the material used by the enemies of the American cause to prove that the popular leaders really aimed at independence and were hypocrites in denying it. They, however, in defeating the execution of the Tea Act had accomplished their object. If the protestations of the most prominent among them, including Samuel Adams and Washington, — if the resolves of public meetings and of general assemblies, — be accepted as authentic revelations of what may be properly termed public opinion, then it may be inferred that the great body of the people would have welcomed the repeal of the duty on tea and the Declaratory Act with bursts of joy like those which greeted the repeal of the Stamp Act. Indeed the hope was general that the desire of the two countries to keep together, the inherent justice of the claim of the Americans to equal rights, their triumphant reasoning in behalf of their cause, and more than all their union, resolution, and increasing power, would affect public opinion in England to such a degree as to bring about a change of administration and a reversal of the Bute policy, and thus restore harmony.[1]

The expression in favor of a congress produced no regular call for the election of delegates during the spring of 1774. The journals for months after the complete defeat of the execution of the Tea Act show little political agitation outside of Massachusetts. Here the issue respecting the

secure the rights of this people from rapacious and plotting tyrants. I have been assured, from good authority, that many patriots, for several years past, have turned their attention to this grand affair of an American commonwealth, and that a system is nearly complete, which will unite all Americans by an indissoluble bond of union, and thereby make them formidable and superior to any Kingdom upon earth. Let the Americans feel their importance, act like freemen, trust in Heaven, and fear none of the sons of Adam."

[1] John Scollay, one of the Boston selectmen, May 31, 1774, wrote to Arthur Lee: "We have too great a regard for our parent state (although cruelly treated by some of her illegitimate sons) to withdraw our connection. Of her we have no idea of an independency." . . . And he hoped the wisdom of both countries would "fix on some principles for each party to resort to as the great charter of agreement between the king and his colonies."

salaries of local officers occasioned a sharp struggle, and an impeachment of the chief justice because he accepted his salary from the crown. Whatever local importance however this question assumed, it did not move the people of the other colonies. Even here the agitation was limited. "I am of the same opinion," John Adams wrote, "that I have been for years, that there is not spirit enough on either side to bring the question to a complete decision. . . . Our children may see revolutions, and be concerned and active in effecting them, of which we can form no conception."[1] Jefferson says that the Virginians relapsed into lethargy.[2] Joseph Reed in Philadelphia reviewed elaborately the whole field in remarkable letters addressed to Lord Dartmouth, and he now wrote: "I know of no cloud arising in our political hemisphere unless our conduct respecting the tea should produce one."[3]

Samuel Adams apprehended the situation. His utterances show that he hoped rather than expected that the ministers would alter their policy; and in the case of their persistence in it, he saw as a consequence no other result than separation and independence. Still his record as clearly shows that, so far from welcoming the bloody work of revolution, he involuntarily shrunk from it. He continued for a year to express warm affection for the mother-country. He stood, however, firm in his conviction of what public duty demanded. It was in vain to expect that the people would be contented with partial or temporary relief, or be amused with court promises. Their opposition to unconstitutional measures had grown into system; colony communed freely with colony; there was among the colonies a common affection,— the *communis sensus;* the whole continent had become united in sentiment and in opposition to tyranny. However, the old good-will and affection for the parent country was

[1] Letter, April 9, 1776, in Works, ii. 337.
[2] Memoirs of Jefferson, i. 5. Ed. 1830.
[3] Letter, April 4, 1774. Reed's Reed, i. 58.

not lost: if she returned to her former moderation, the former love would return; for the people wanted nothing more than permanent union with her on the condition of equal liberty. This is all they had for ten years been contending for, and nothing short of this would or ought to satisfy them.[1] This was his position stated in his own words. It was a defensive one. He had faith in the republican idea; appreciated the value of its embodiment in American institutions; sought their preservation; and for their protection would have been satisfied with the national power which grandly met the natural sentiment of country. As the reports came that the government was maturing severe penal measures, and that fleets and armies were to be sent over to enforce them, his faith in God and his countrymen rose. "It is our duty," he wrote, "at all hazards to preserve the public liberty. Righteous Heaven will graciously smile on every manly and rational attempt to secure that best of all gifts to man from the ravishing hand of lawless and brutal power."[2] This was not a type of the sentimentalism which has its origin in dreams, and naturally lands in Utopia, but was a type of the integrity of character and purpose, which were the springs of the wise counsels and the great action that led to the formation of the republic.

The period of suspense terminated during the first week in May, when the newspapers became burdened with details shewing the feeling roused in England by the destruction of the tea. It was pronounced by the king a subversion of the Constitution; by Lord North, the culmination of years of riot and confusion; by parliament, actual rebellion flowing from

[1] Letter, March 31, 1774, drawn up by Samuel Adams for the legislative committee of correspondence, and signed by himself, John Hancock, William Phillips, and William Heath, and addressed to Franklin. S. A. Wells's MS. Life of Adams, ii. 485, has this letter. It is, with a few sentences wanting, in the Massachusetts papers of the Seventy-Six Society.

[2] Samuel Adams to James Warren, March 31, 1774, MSS. The "Massachusetts Gazette," April 25, 1774, has the following letter from London, dated Feb. 15: "Six ships of war and seven regiments are ordered to America with all expedition; for what purpose time must discover."

ideas of independence. The opposition bowed to the storm. Lord Chatham uttered rebuke, and Colonel Barré conceded the necessity of punishment. Lord Dartmouth was the most moderate in his speech, terming the proceeding a commotion, but was anxious that the offenders should be punished. The bold stroke of the Boston patriots stirred an intense nationality into an energy, that, like a hurricane, swept before it men and parties. The words, often cited, of the arrogant, insolent, and galling Venn, were then uttered and circulated through the colonies: "The offence of the Americans is flagitious: the town of Boston ought to be knocked about their ears and destroyed. *Delenda est Carthago.* You will never meet with proper obedience to the laws of this country until you have destroyed that nest of locusts." These words embodied the feeling of England in an hour of her insolence.[1]

The ministers blundered, as usual, in meeting this issue. They proceeded as though they had to deal only with Boston and Massachusetts. It had long been a theory that the law of diversity was so deeply rooted and so paramount in its influence, that any thing like real political unity among the colonies would be impossible. Hutchinson accepted this theory. General Gage, the commander of the British army in America, having his eye over the whole field, judged that the chance was small of the Bostonians getting more than fair words from the other colonies; and, fresh from America, assured the king, in a personal interview, that four regiments stationed in Boston would prevent any disturbance. The king reports him even as saying, "They will be lions while we are lambs; but if we take the resolute part, they will prove very meek," — a saying which the king thought worth sending to Lord North.[2] It was reasoned:

[1] Venn's words are in the "Massachusetts Gazette" of May 19, 1774. Governor Johnstone, one of the Peace Commission of 1778, in a private letter dated June 10, to Henry Laurens, the President of Congress, said: "If you should follow the example of England in the hour of her insolence," &c — Annual Register, xxi. 338.

[2] Donne's Correspondence of George III., i. 164.

The other colonies will not take fire at the proper punishment of those who have disobeyed the laws. They will leave them to suffer for their own offences;[1] the shutting up of the port will be naturally a gratification to the neighboring towns; the other colonies will accept with pleasure any benefits they can derive from the misfortunes of Massachusetts; the policy of singling out this colony will eventually prove a means of dissolving the bond of union.[2]

The king on the 7th of March, 1774, in messages to both Houses, recommended to their serious consideration the proceedings in America elicited by the Tea Act, and particularly the destruction of the tea in Boston. The messages were accompanied with a mass of papers relating to this matter.[3] It was left to parliament to say what measures were necessary to secure the execution of the laws and the just dependence of the colonies; but Lord North submitted no plan. Lord Thurloe, impatient for coercion, said loud enough to reach the ears of the minister, "I never heard any thing so impudent: he has no plan yet ready." An address to the king, however, was promptly agreed upon, expressing thanks for the gracious communication that day made to parliament; and in the evening the king wrote to Lord North: "It is carrying a very material point, — the ordering an address without a division, — and gives a degree of weight to the subsequent steps that will be taken on this business in the House of Commons."[4] The steps alluded to were the famous series of penal measures.

The first of this series, the Boston Port Bill, was moved by Lord North on the 14th of March. It passed in about

[1] Annual Register, vol. xvii. 64.

[2] Ibid., vol. xviii. 2.

[3] The particulars of the destruction of the tea were received in London by the New-York mail on Wednesday, Jan. 19, 1774, and were printed in the London papers of Jan. 21, and in the "Edinburgh Advertiser" of Jan. 25. There were no comments. The ministers waited for the arrival of official despatches.

[4] Donne's Letters of George III., i. 173.

two weeks through the various stages, with very little debate. On its second reading without division, the king wrote that the fact "was so favorable to the measure that he could not refrain from expressing the pleasure it gave him;" and thought that "the feebleness and fatuity of the opposition shewed the rectitude of the measure."[1] Words of soberness and truth, even of prophecy, were spoken in the debate against the bill, in both Houses, but there were no divisions. The anxious eyes of a patriot and a great statesman followed the "mad and cruel measure." "Reparation," Lord Chatham wrote, "ought first to be demanded in a solemn manner, and refused by the town and magistracy of Boston, before such a bill of pains and penalties can be called just;" but, he remarked, perhaps a fatal desire had taken possession of the heart of the government to take advantage of a tumult in order to crush the spirit of liberty among the Americans.[2] It is recorded on the journals of both Houses that the bill passed unanimously. It received the royal assent on the 31st of March, and then became a law. It provided for a discontinuance of the landing of all merchandise whatever in, or the shipping from the town or harbor of Boston on and after the first day of June; constituted Marblehead a port of entry, and Salem the seat of government. This state of things was to continue until certain conditions should be complied with, — one being that the owners of the property that was destroyed should be indemnified. It was officially announced that an army and a fleet would be employed to enforce the Act.

This Act was received by separate arrivals at New York and Boston,[3] and was circulated with wonderful rapidity

[1] Donne's Letters of George III., i. 176.

[2] Correspondence of the Earl of Chatham, iv. 336.

[3] The Boston Port Act was received here on the 10th of May, and the "Massachusetts Gazette" of May 12 has it in full, with the following heading: "Tuesday arrived here Captain Shayler, in a brig from London, who brought the most interesting and important advices that ever was received at the port of Boston." The Act was received in New York, May 12, by Captain Couper, twenty-seven days from London. "We want language to express our abhorrence," a New-York letter of the 14th says, printed in the "Boston Gazette."

from these centres through the colonies. It spoke for itself. It doomed a town to suffer for a deed which had been welcomed in every quarter with manifestations of joy. Pathetic appeal, or party manipulation, or personal influence, was not required to rouse a general indignation. This welled up instinctively from the American heart, and was expressed in every form. The Act was printed on paper with mourning lines; it was cried through the streets as barbarous murder; it was burnt by the common hangman on scaffolds forty-five feet high. The feeling that it was unjust and inhuman was expressed in passionate words. "Join or die," a terse Rhode-Island utterance reads: "the insult to our virtuous brethren ought to be viewed in the same odious light as a direct hostile invasion of every province on the continent." Thus the patriots gave themselves up to impulses that honor human nature. The Act was a failure from the moment of its promulgation.

The Boston committee of correspondence invited the committees of eight neighboring towns to meet for deliberation in Faneuil Hall. Men in that conference (May 12) took part in the counsels or the battles of the whole subsequent struggle. Samuel Adams presided, and Joseph Warren drew up its papers. The conference addressed a circular to the committees in all the colonies, recommending a suspension of trade with Great Britain, suggesting that the single question was whether the other colonies would consider Boston as suffering for the common cause, and resent the injury inflicted on her, and promising fidelity to the rights of America. On the next day a town meeting was held in Faneuil Hall, with Samuel Adams for the moderator. The inhabitants addressed (May 13) a circular "to all the sister colonies, promising to suffer for America with fortitude, but confessing that singly they must find their trial too severe:" they entreated not to be left alone when the being of every colony as a free people depended on the event; and they also proposed, as the means to obtain redress, commercial

non-intercourse. The hall could not contain the numbers who attended, and many stood outside until its close. Expresses were sent to Salem and Marblehead, to New York and to Philadelphia, with letters to the patriots. The legislative committee were directed by the House to send the Port Act to the other colonies, and to call immediate attention to it as "an act designed to suppress the spirit of liberty in America." The committee in performing this duty (May 28) said: "We think the archives of Constantinople might be in vain searched for a parallel. To reason upon such an act would be idleness. You will doubtless judge every British American colony deeply concerned in it, and contemplate and determine upon it accordingly." Thus the patriots acted through their varied organizations in a spirit of order, and with promptness, dignity, and efficiency.

The reception of these circulars was the occasion for memorable proceedings, which have often been related, but which ought not to be omitted in any narrative of these times. The inhabitants of Marblehead tendered the use of their wharves to the Bostonians, one of their number, Elbridge Gerry, the future Vice-President, saying that the resentment of an arbitrary ministry would prove a diadem of honor to the oppressed town. The merchants of Newburyport voted to break off trade with Great Britain, and lay up their ships until the port should be opened. Salem, in an address to Governor Gage, drawn up by Timothy Pickering, the future Secretary of State, averred that they must be lost to all feelings of humanity to raise their fortunes on the ruins of their neighbor. The same spirit was manifested in the other New-England colonies. The Connecticut assembly appointed a day for humiliation and prayer, and ordered an inventory to be taken of cannon and military stores. Providence, in Rhode Island, resolved that all the colonies were concerned in the Port Act, and recommended a congress. Portsmouth, in New Hampshire, declared that the administration were taking every method to disunite the col-

onies, but hoped their firm union would continue. The sentiment and determination of the patriots south of New England were represented in the proceedings of the Virginia House of Burgesses. On the reception of the news of the Port Act, all business gave way to the generous purpose to stand by Massachusetts. In resolves penned by Jefferson, they set apart the first day of June as a day of fasting and prayer, to invoke the divine interposition to give to the American people one heart and one mind to oppose by all just means every injury to American rights, and to inspire the minds of His Majesty and his parliament with wisdom, moderation, and justice. These resolves brought down a dissolution; and before others, proposing a congress, could be passed.[1] The members then repaired to the Raleigh Tavern, where they declared that an attack made on one of the sister colonies was an attack on all British America, and threatened ruin to the rights of all, unless the united wisdom of the whole were applied; and they recommended the committee of correspondence to communicate with the other committees on the expediency of holding an annual congress. Two days later the circulars from the north were received, when the Burgesses who remained in Williamsburg — Washington was one — appointed a convention, consisting of representatives of all the counties, to meet on the first day of August.[2]

[1] The House of Burgesses had before them on the 24th of May a resolve providing for the call of a congress, and were dissolved the next morning. The resolve is in the "Boston Gazette" of June 20. The Massachusetts assembly convened on the 25th of May. Samuel Adams was about to introduce resolves for a congress when the assembly (26th) was adjourned by the Governor to meet in Salem on the 7th of June.

[2] The "Essex Gazette" of June 28 has the following, showing the feeling south of Virginia: "Charleston, South Carolina, June 6. Last Tuesday morning a packet was received here from a very respectable committee at Philadelphia, enclosing letters from other committees, and contained the first intelligence of the passing of an act of parliament for blocking up the harbor of Boston, which, if we may judge from the indignation with which it is everywhere received, will prove the cruellest policy that ever disgraced the British senate, and be the very means to perfect that union in America which it was intended to destroy."

This noble action, embodying the passion and humanity of a rich historic hour, was a fitting prelude to the spectacle which the colonies presented on the day (June 1) the Port Act went into effect. A cordon of British men-of-war was moored around the town of Boston. Not a keel nor a raft was permitted to approach the wharves. The wheels of commerce were stopped. The poor were deprived of employment. The rich were cut off from their usual resources. The town entered upon its period of suffering. The day was widely observed as a day of fasting and prayer. The manifestations of sympathy were general. Business was suspended. Bells were muffled, and tolled from morning till night; flags were kept at half-mast; streets were dressed in mourning; public buildings and shops were draped in black; large congregations filled the churches. In Virginia the members of the House of Burgesses assembled at their place of meeting; went in procession, with the Speaker at their head, to the church and listened to a discourse. "Never," a lady wrote, "since my residence in Virginia have I seen so large a congregation as was this day assembled to hear divine service."[1] The preacher selected for his text the words: "Be strong and of good courage, fear not, nor be afraid of them; for the Lord thy God, he it is that doth go with thee. He will not fail thee nor forsake thee." "The people," Jefferson says, "met generally, with anxiety and alarm in their countenances; and the effect of the day, through the whole colony, was like a shock of electricity, arousing every man and placing him erect and solidly on his centre."[2] These words describe the effect of the Port Act throughout the thirteen colonies.

This train of events served to fix again all eyes on Boston. It was now required to be patient under suffering, to show

[1] Letters dated Williamsburg, June 1, 1774, in "Edinburgh Advertiser," July 26. An excellent letter from one of the Burgesses, dated June 4, is printed in this paper of Aug. 2, and the whole proceedings in the issue of Aug. 5.

[2] Jefferson Memoir, p. 6.

forbearance under insult, and to be faithful to the cause in the face of danger. The feeling among its citizens was bitter, intense, and up to the verge of civil war. The Tories taunted the Whigs with following a set of reckless demagogues, who professed loyalty, but aimed at independence. They had brought down upon the town its calamity, and would be sent to England and expiate their crimes at Tyburn. The Whigs, as they directed public odium in every way on the Tories, averred that nothing was further from their hearts than a spirit of rebellion, and continued their confidence in a noble band of leaders. They were guiding a great movement with uncommon wisdom. The militia were not called out to resist the landing of the troops daily expected; the British fleet were not cannonaded from guns planted on the surrounding hills; the idea was not acted on, if it was suggested by the rash, of declaring independence, unfurling the Pine Tree flag, and entering upon a Quixotic crusade against England. The town bore its burden with dignity, and based its hope of deliverance on union. In a short time regiments from famous battle-fields landed unmolested on its soil; hostile cannon were planted on its eminences and at the single outlet into the country; troops daily paraded its streets, and the place wore the aspect of a garrison. Details of the petty annoyance to which its citizens were subjected were printed from time to time in the journals. The strange spectacle touched the feelings of the patriots. Their admiration was raised by the genuine pluck evinced by the Bostonians in going on with their political action under the mouths of hostile cannon, and when this was in derogation of an act of parliament. The action had not been bolder when the town was free from troops. Thus the brave municipality stood manfully for the cause, exciting warm sympathy, intense interest, and the gravest apprehension.

The suggestion appeared in several quarters simultaneously that contributions should be tendered for the relief of such of the indigent as might be sufferers by the operation of the

Port Act; it was approved and urged in the press, the pulpit, public meetings, and general assemblies; and was so promptly carried out that soon there was a flow from every quarter of cereals, live stock, provisions, wood, and money into Boston. The fraternal movement bore directly on the individual. The ardent and zealous workers in the cause in hundreds of localities, forming a circle more or less wide, went from door to door, from street to street, as they gathered the patriotic offerings; and the talk in the shop, on the farm, in the commercial mart, in the home, would naturally be of acts of power full of injustice, of violated liberty, of patriots suffering for the cause. The names of contributors in some places are still to be seen. The list in Fairfax County, Virginia, has at its head the name of George Washington for fifty pounds. The committees accompanied the gifts with letters laden with the deepest sympathy, and, as sterner events unfolded, — as will be seen in the next chapter, — with the most solemn pledges of support. A few sentences, selected from the earliest, will suffice here to show this fraternal spirit: "We feel the heavy hand of power, and claim a share of your sufferings." — "Depend upon it we will further assist you with provisions and men if you need it." — "Our people are open and generous, firm and resolute in the cause of liberty; hope the people of Boston remain firm and steady." — "Hold on and hold out to the last. As you are placed in the front rank, if you fail all will be over." — "Give us leave to entreat, to beg, to conjure you, by every thing that is dear, by every thing that is sacred, by the venerable names of our pious forefathers, who suffered, who bled in the defence of liberty, not to desert the cause in this trying crisis." — "Stand firm, and let your intrepid courage show to the world that you are Christians." These words were born of generous impulses and a noble enthusiasm. They revealed the fact that, beneath the diversity that characterized the colonies, there was American unity. The deeds they heralded were the blossoming of a rare public

life, but the spirit was greater than the deeds. The blow dealt on Boston, like a wound on a single nerve, convulsed the whole body.[1]

The popular party were now enabled to prepare for the work in store for them by extending their organization and interchanging sentiments. They in every quarter chose committees of correspondence, sometimes in public meetings, as in New York, Philadelphia, and Baltimore, but very generally in meetings regularly called of the freeholders and other inhabitants of the parishes, towns, and counties, after the way of the town of Boston. It was remarked by John Adams, that "every city, county, hundred, and town on the continent" adopted the measure — he almost said, as if it had been "a revelation from above — as the happiest means of cementing the union:" he added that the organization was actuated "by one great, wise, and noble spirit, — one masterly soul animating one vigorous body."[2] This was more enthusiastic than exact. The Canadas continued meanly to hold back; some of the towns in the original thirteen colonies did not choose committees; and here and there a town, after the choice, faltered and dismissed its committee.[3] The opposition to the organization attempted

[1] The "Boston Gazette" of July 11, 1774, has the following, which illustrates the spirit of the times: —

MESSIEURS EDES AND GILL.

'Tis an old and just observation that professions cost nothing; 'tis equally true that when a man parts with his money in support of any cause, he evidences himself to be in earnest. I cannot but reverence my fellow-countrymen, dispersed through this and the other governments, for their liberal and unsolicited contributions to support the poor and suffering people of Boston during the present conflict. What amiable charity! What glorious magnanimity is here displayed! Shall such a race of patriots, shall such a band of friends, be ever subdued? No, my persecuted brethren of this metropolis, you may rest assured that the guardian God of New England, who holds the hearts of his people in his hands, has influenced your distant brethren to this benevolence. 'Tis a glorious pledge of that harmony, that unison of sentiment and action, which shall connect such a band of heroes, as to make a world combined against them to tremble. Cultivate this rich, this fruitful blessing, — an extensive union: when once 'tis effected, it will intimidate your enemies, will animate your friends, will convince them both that you must be invincible, and thus you will obtain a bloodless victory. G.

[2] Novanglus. John Adams, in the "Boston Gazette," dated Feb. 6, 1775.

[3] I have a list of the dates of the formation of municipal committees in several of

to do this in Boston in a town meeting; but, after a debate of two days, they were signally defeated. This proceeding elicited a generous recognition of the labors of the Boston committee in an address from Rhode Island. "Your faithful services," it said, "have endeared you to the wise and good of every colony. Continue your indefatigable labors in the common cause, and you will soon see the happy success of them in the salvation of your country."[1] It is doing no injustice to other members of the committee to say that its records show Joseph Warren and Samuel Adams indefatigable in its labors.

The Tories wrote much about this organization in the press. They said, in describing the formation of the committees, that at first resolutions, drawn up by zealous partisans, were offered in public meetings; then, the orator mounted the rostrum, and exerted his powers of eloquence to heat his audience with the blaze of patriotism with which he conceived himself inspired; and that from this fountain originated their authority. "It is a fountain," the writer said, "from which no legal authority can be derived: we know not where such precedents may terminate. Setting up such a power to control you is setting up anarchy above order: it is the beginning of republicanism. Nip this pernicious weed in the bud before

the colonies, but its insertion would require large space. The action of the New-Hampshire and Rhode-Island towns has been noticed. (See p. 313.) The movement did not become general in the Southern colonies until after the passage of the Boston Port Act. Then the journals abound with accounts of local meetings. The counties in Maryland chose committees in the last of May and in June; the counties of Virginia in June. It was said in the "Massachusetts Gazette" (Tory) of July 7, 1774: "The newspapers from all quarters, in every British American colony, so far as we have yet received intelligence, are chiefly filled with accounts of meetings and resolutions of towns and counties; all to the same purpose, complaining of oppression, proposing a congress, a cessation of intercourse with Great Britain, and a contribution for the relief of the Boston poor." The "Boston Gazette" of July 4 contains in full the proceeding of a meeting of "The Freeholders and other inhabitants of Frederick County," Va., held on the 8th of June, appointing a committee of correspondence; and of a meeting of "The Freeholders and Freemen of the City and County of Philadelphia" held on the 18th of June, appointing a committee, with John Dickenson at its head.

[1] This address occupies nearly the first side of the "Boston Gazette" of Aug. 8, 1774.

it has taken too deep root." This record of the Tories is the shading of the picture of these times, which serves to bring out in bright colors the action of the patriots.

The expressions in favor of a congress became frequent in various quarters after the passage of the Tea Act. On the passage of the Port Act the demand for a congress was general. The timid regarded this measure as most likely to procure a redress of grievances and restore harmony: the bold urged it as the first step in the direction of forming an independent American commonwealth. It was assented to by politicians — of whom Joseph Galloway, of Philadelphia, was the type — who were halting by the way, and ultimately took the royal side; by Whigs, represented by John Dickenson, who never seemed ready to give up the hope of reconciliation; and it was desired above all other measures by the class represented by Christopher Gadsden, Richard Henry Lee, and Samuel Adams, to give to union the power of organization and law. About a month after the reception of the Port Act, the press stated that a congress "was the general desire of the continent, in order to agree on effectual measures for defeating the despotic designs of those who were endeavoring to effect the ruin of the colonies." [1]

During the month of May propositions for a congress were adopted by several public meetings; and when the condition of intercommunication is considered they may be regarded as independent of each other. They shew the ripeness of public opinion for this measure. The committee in New York requested the patriots of Massachusetts to designate the time and place; and they decided to do this through the general assembly.

Meantime General Gage arrived from England fresh from a personal interview with the king. He was the commander of the British army in America; and, as the successor of Hutchinson, he bore a commission as the Governor of Massachusetts. A report was current to the effect that, when

[1] Boston Evening Post, June 20, 1774.

he landed in Boston, he would be treated with indignity; but he was received (May 17) with every mark of respect by the civil authorities and the military, and a vast concourse of the inhabitants. When his commission was read in the council chamber, salutes were fired and the people cheered. In the afternoon an elegant dinner was served in Faneuil Hall, which was attended by the principal characters of the town.[1] A few days after he went to Salem, escorted by a party in carriages. They were met, about noon, by the civil authorities and the military, and formed a grand procession. There he received the compliments of a great number on his accession to his new office, and his safe arrival at the place of his residence. It was hoped that this gracious reception would remove any unfavorable impression which report might have created as to the character and disposition of the inhabitants.[2]

The assembly met on the 25th of May, as usual, in Boston. The members took the oaths of abjuration, subscribed the Declaration, chose Thomas Cushing speaker, Samuel Adams clerk, and elected twenty-eight councillors. On the next day Governor Gage negatived thirteen of the twenty-eight, among whom were James Bowdoin, John Winthrop, and John Adams. He summoned the members to the council chamber, informed them that he had the king's particular commands for holding the General Court at Salem after the 1st of June, until His Majesty should signify his royal will and pleasure for holding it again in Boston. The House asked the Governor to appoint a day of fasting and prayer, to petition the Almighty that the people of this province might stand favorably in the eyes of the king, and be directed in wise and proper measures to establish their just rights, liberties, and privileges, and that harmony might

[1] Boston Gazette, May 30, 1774. This issue contains the noble resolves of the town of Providence, of May 17, recommending the call of a congress and the abolition of negro slavery. They will compare favorably in manner and matter with any adopted up to this time in the colonies.

[2] Essex Gazette, June 7, 1774.

be restored between Great Britain and the colonies. The Governor (May 28) adjourned the court, to meet on the seventh day of June.

Hence the assembly was in session on the seventeenth day of June in the old and quiet town of Salem. It contained members who voted for the resolve of 1764, inviting all the assemblies to concert of action; for the call of the congress of 1765; for the Circular Letter of 1768; and who were of the "glorious Ninety-Two" who refused to obey the king's order to rescind this Letter. The doors of the chamber in which they met were locked, as was usual when important business was to be transacted. Samuel Adams submitted resolves designating the first day of September as the time, and Philadelphia as the place, for holding the congress; providing for the appointment of five delegates, and for a tax on the towns of five hundred pounds to defray their expenses. While these resolves were under consideration, the secretary of the colony, Thomas Flucker, bearing a message from the Governor, applied for admission. On being denied, he stood on the stairway leading to the hall, and read to the crowd a proclamation dissolving the assembly.[1] The House, however, went on with its business. The resolves were adopted, and the speaker was ordered to transmit them to the speakers of the assemblies of the continent.[2]

[1] It is stated in Rushworth's Collections, i. 558, that just before Sir Edward Coke was about to utter, in committee of the whole, the speech in which he said, "Let us put up a Petition of Right," the key was brought up, and none were to go out without leave first asked.

[2] The following is a selection of the matter relating to a congress, after the passage of the Tea Act: —

The "Boston Gazette" of Aug. 2, 1773, in a spirited appeal urging a congress, says: "Many and great are the advantages that may result from such a congress or meeting of American States, and it should be forwarded as fast as possible."

Samuel Adams, in the "Boston Gazette," Sept. 13, over the signature of "A.," suggests that the next petition should be by "the joint wisdom of the whole in a congress, or some other way conformable to the plan of union proposed by Virginia;" saying. "It would certainly be inconsistent with that plan of union for this or any other colony to come into a new system of American policy without consulting the whole" A writer in the same paper recommends "that a congress of American States be assembled as soon as possible, draw up a Bill of Rights, and publish it to

Meantime there was an adjournment of what was called "The Port Act Meeting" held on the same day in Faneuil Hall. Great numbers attended. John Adams was the moderator. The principal object of the meeting was to hear

the world; choose an ambassador to reside at the British court, to act for the United Colonies; appoint where the congress shall annually meet; and how it may be summoned upon an extraordinary occasion."

Hutchinson wrote to John Pownal, Oct. 18, 1773, "The leaders of the party give out openly that they must have another convention of all the colonies."

The "Boston Gazette" of Dec. 2, 1773, has a piece which says: "There is no time to be lost. A congress, or a meeting of the States, is indispensable."

John Hancock in the annual oration on the 5th of March, 1774, urged that the posture of affairs demanded a general congress.

A piece dated New York, April 26, 1774, and copied into the "Boston Evening Post" of June 6, says: "A congress of deputies from the several colonies is thought to be absolutely necessary, to devise means of restoring harmony between Great Britain and her colonies, and prevent matters from coming to extremities."

In a town meeting in Providence, R.I., called by warrant, on the 17th of May, 1774, it was voted "that the deputies of this town be requested to use their influence, at the approaching session of the general assembly of this colony, for promoting a congress, as soon as may be, of the representatives of the general assemblies of the several colonies and provinces of North America, for establishing the firmest union, and adopting such measures as to them shall appear the most effectual to answer that important purpose, and to agree upon proper measures for executing the same." This vote was immediately printed in the newspapers, and is copied into the "Massachusetts Gazette," of May 30, 1774. It is the first recommendation of a congress in print by an organized body I have met. The committee of correspondence, in a letter (May 17) addressed to the Boston committee of correspondence, say: "We trust your town will be for a general congress of the American States being convened as soon as may be, that an opposition to the unrighteous impositions may be entered into by all the colonies, without which we all agree the cause must fail."

The committee of Philadelphia, representing a respectable number of the inhabitants, in a calm letter dated May 21, 1774, addressed to the committee of correspondence of Boston, expressed the opinion that "the first step that ought to be taken" is to call a general congress, and promised to obtain the sense of the people on this question. It is stated in the New-York papers that copies of this letter were sent to New York and to the Southern colonies. It was copied in full into the "Edinburgh Advertiser" of July 22.

The committee of correspondence of the city of New York, in a letter dated May 23, addressed to the committee of correspondence of Boston, say that "a congress of deputies from the colonies in general is of the utmost moment, that it ought to be assembled without delay:" we "request your speedy opinion of the proposed congress, that, if it should meet with your approbation, we may exert our utmost endeavors to carry it into execution." Under the date of "New York, May 30," copied into the "Essex Gazette" of June 2, the fact is stated that the grand committee had proposed a congress.

Eighty-nine members of the House of Burgesses of Virginia met on the 27th of May, at the long room called the Apollo, in the Raleigh Tavern in Williamsburg, after the House had been dissolved by Earl Dunmore, and signed an association; and

the report of a committee appointed at a previous meeting to provide employment for the poor. They, through Warren, stated that they thought best to defer reporting till they had heard from the other governments. There was much written and said at this period about payment for the tea that had been destroyed. The advice on this point to the patriots from eminent Whigs was contradictory. "I can-

they were joined by a number of clergymen and others. In this way they "recommended to the committee of correspondence that they communicate with the several corresponding committees, on the expediency of appointing deputies from the several colonies of British America, to meet in a general congress, at such a place annually as shall be thought most convenient; there to deliberate on those general measures which the united interests of America may from time to time require." The whole proceedings, under the date of "Williamsburg," and occupying a column and a half, are in the "Boston Gazette" of June 13, 1774. The committee of correspondence of the Burgesses (May 28) say in their circular letter to the other committees: "The propriety of appointing deputies from the several colonies of British America, to meet annually in general congress, appears to be a measure extremely important and extensively useful, as it tends so effectually to obtain the united wisdom of the whole in every case of general concern. We are desirous to obtain your sentiments on this subject."

On the 15th of June the Rhode-Island assembly, in the opinion "that a firm and inviolate union of the colonies was absolutely necessary, appointed two delegates to attend a congress at such time and place as might be agreed upon;" who were instructed "to procure a regular annual convention of representatives of all the colonies," &c. These resolves were printed in the Boston newspapers of June 20, 1774.

In this varied action in behalf of a congress no time or place was named. They were designated as follows:—

The Connecticut committee of correspondence, in a letter addressed on the 3d of June to the Boston committee of correspondence, made suggestions as to time and place, and the next day sent a copy of this letter to the New-York committee.

The New-York committee, on the 7th of June, in a letter to the Boston committee of correspondence, requested them "to appoint the time and place for holding the congress."

The resolves were adopted by the Massachusetts assembly on the 17th of June, when one hundred and twenty-nine members were present. Only twelve dissented. The preamble and first resolve were as follows: "This House, having duly considered and being deeply affected with the unhappy differences which have long subsisted and are increasing between Great Britain and the American colonies, do resolve: That a meeting of committees from the several colonies on this continent is highly expedient and necessary to consult upon the present state of the colonies, and the miseries to which they are and must be reduced by the operation of certain acts of parliament respecting America; and to deliberate and determine upon wise and proper measures to be by them recommended to all the colonies for the recovery and establishment of just rights and liberties, civil and religious, and the restoration of union and harmony between Great Britain and the colonies, most ardently desired by all good men." The time fixed was the first day of September, and the place Philadelphia, or any other place that should be judged most suitable by the committee.

not," Franklin wrote from London, "but wish and hope that compensation would be made to the company;" but Gadsden, of Charleston, wrote, "Don't pay for an ounce of the damned tea." The subject was discussed in the meeting. The committee of correspondence laid before the town, probably through Warren, the answers they had received from the circulars the town had sent. They were directed to write to all the other colonies and acquaint them that the town was awaiting with anxiety the result of a continental congress in whose wisdom they confided, and in whose determination they should cheerfully acquiesce. The meeting, according to the journals, was never exceeded in firmness and unanimity: not one had any thing to say in favor of paying for the tea; and all were willing to endure the worst rather than surrender the rights of America.

This was a memorable day. In the evening the choice spirits of the popular party, who had figured in the meeting in Faneuil Hall and in the assembly at Salem, met at Warren's residence. Adams, Cushing, Quincy, Warren, Young, were of the number; and they formed, Young the next day wrote, "an important and agreeable company." The spirit evinced in the meeting in Faneuil Hall, the action at Salem relative to the congress, the intelligence in the journals, a spirited letter from Baltimore, cheered their hearts: a letter was read from New York, which was pronounced "as encouraging as any thing they had from any part of the continent." They could not know that a Massachusetts assembly should never again act under the authority of the crown, or that the province that day sent forth to serve them in the congress a patriot who was soon to be the chief magistrate of an independent nation. They had manfully performed duties expected from them. "Our rejoicing," one of the band wrote, "was full, from an interchange of interesting advices from all quarters."

The patriot just referred to, John Adams, was in his thirty-ninth year. He was born in Braintree, graduated at

Harvard, taught a school in Worcester, studied law, and, on the recommendation of Jeremiah Gridley, eminent in the profession, was sworn as an attorney. He had a strong desire for the approbation of the wise and good, and had formed the resolution never to commit any meanness or injustice in the practice of the law. He had an early ambition to rise in his profession. By industry he became a learned lawyer, and by nature he was an honest one. He served his native town as a selectman; after he removed to Boston, was a representative a single year in the legislature; and won much reputation by acting as counsel for the British soldiers who were concerned in the "Boston massacre." His heart was with the cause of the patriots, and his erudition was ever at their service. His labor with his pen was valuable. He uttered so many ringing words that he has been called the Martin Luther of the Revolution. He did not attend the public meetings; did not always approve of the movements of the patriots; and mingled so little in practical politics that, down to this day, he was rather the counsellor than an actor, and was only a private man honored by a few marks of the confidence of his fellow-citizens.[1] If he had in large measure conceit, envy, and vanity, he had also honesty and integrity, and a noble and pure heart, the aspirations of which were ever for the advancement of his country and the welfare of his race. He was impulsive, frank, and generous. He lacked the confidence in the people that some of his co-laborers possessed, which led him to embrace strong conservative views of government, and to lean to aristocratic features. He accepted the position of a delegate to the congress, where his greatness of character and large ability gave him a commanding position as a leader; and he soon became identified with the important measures of the Revolution.

The resolves calling a congress were printed in the newspapers and immediately transmitted to the other colonies,

[1] Life of John Adams, by his grandson, Hon Charles Francis Adams, p. 149.

which acquiesced in the time and place designated. The whole action was most satisfactory to the patriots, who again sounded praises to a Massachusetts assembly. One now wrote: "I am extremely pleased with the spirit and glorious conduct of your General Court. They are a band of patriots, fit to be intrusted with the rights and liberties of a people, and whose resolution and good sense would do them honor in any country under heaven."[1]

The popular party were now pledging themselves to abide by the decisions the congress might come to in relation to a general plan for a redress of grievances. The method generally suggested was the old one of commercial non-intercourse. There was a stern determination to have it efficient. One of the Virginia Burgesses wrote, in sending out a moderate agreement, "We have no other weapons to fight with." The Boston committee said, "It is the last and only method of preserving the land from slavery without drenching it in blood;" and they sent out a vigorous "Solemn League and Covenant," the signers to which agreed, "in the presence of God," not to buy goods from Great Britain or consume any, to break off dealings with all who bought them, and publish their names to the world. This covenant made a great noise. It drew from the Tories a protest submitted in a town meeting in Faneuil Hall, and from Governor Gage a proclamation terming it an illegal and traitorous combination to distress the British nation, and enjoining the officers of the law to apprehend and hold for trial all who might sign or circulate it.[2] This insane step gave an impetus to the

[1] A New-York letter, dated June 26, 1774, in the "Boston Gazette" of July 4.

[2] The solemn league and covenant was decided upon (June 2) by the Boston committee of correspondence. Joseph Warren reported it. The committee sent it to the towns. The "Massachusetts Gazette" (Tory) printed it on the 23d of June. It elicited voluminous comment. The next issue of this paper (June 30) contains the Proclamation by the Governor "to discourage illegal combinations" and against the league and covenant. This issue also has an account of the proceedings of a town meeting held in Faneuil Hall, June 27, in which this covenant was read. Also a protest against it, dated June 29, signed by one hundred and twenty-eight citizens, at the head of whom was Harrison Gray.

movement. "We have not a man but will sign," the Pepperrell committee wrote by the hand of a French war hero, William Prescott.[1] In Hardwick, Brigadier Ruggles, a magistrate, gave out word that he "would commit to jail any man who presumed to sign the covenant;" when "upwards of a hundred persons put their names to it."[2] The Virginia patriots also were entering into a combination to distress the British nation. Their convention arraigned this proclamation in scathing terms, and nobly resolved to stand by Massachusetts in case an attempt was made by Gage to carry it out; a resolve that in England was looked upon as an overt act of treason.[3]

These movements were premature. However impolitic the method of non-intercourse turned out to have been, there was great unanimity in urging it; but not in relation to the form, or as to the articles which an agreement should include. It was unwise to enter upon a measure affecting largely material interests, and depending for its success on a general concurrence, before there could be a consultation of all the colonies. It was, besides, inconsistent with a sentiment long inculcated, that any plan affecting the common cause ought to be agreed upon by a common council. In this the popular party were so harmonious, it was now said (July 4), that the accounts from every post brought the resolutions of the cities, towns, and counties, containing "assurances of their sending deputations to assist at a grand congress of representatives of all the colonies,—to whose wisdom, firmness, and fortitude, the liberty, property, and whole interest of this free and august continent are to be delegated."[4]

The resolutions here referred to embody in a striking

[1] Letter to the Boston committee, July 4, 1774.

[2] Boston Gazette, July 4, 1774.

[3] The following is in the "Edinburgh Advertiser" of Oct. 4: "The declaration of the Virginians, that it was lawful to repel force by force in case any measures were taken to carry the Proclamation of General Gage into execution, is looked upon here as an overt act of treason, and implies a rebellious intent."

[4] Boston Evening Post, July 4, 1774.

manner the determination of the time; and constitute a class of facts which seem to have been overlooked, but are worthy of attention. Thus the freeholders of Baltimore County, in Maryland, pronounced in favor of forming an association in relation to imports and exports to be agreed upon in a general congress, and of cutting off all dealings with the parties who would not come into the plan. Other counties in that province voted similar propositions; and a convention composed of delegates from all of them was held in Annapolis, in which Matthew Tighlman presided; which adopted the recommendation and the pledge. Both were reiterated in other colonies in the votes of towns, counties, and provincial conventions. The foremost revolutionary names are connected with these proceedings. Christopher Gadsden took part in a great meeting at Charleston, S.C., which "most solemnly agreed to abide by the decisions of the congress;" and in the debates at a meeting in the city of New York, which voted "to abide by and observe" these decisions, Alexander Hamilton, then an unknown youth, shone like a star. In Pennsylvania a "provincial meeting of deputies" from the counties went so far as to pledge themselves to break off all dealings with any individual in any town or colony that did not adopt the plan agreed upon; and among the delegates were John Dickenson, James Wilson, Thomas Mifflin, Joseph Reed, and Anthony Wayne. No colony was more decided on the recommendation and the pledge than Virginia. In Fairfax County, where Washington was the chairman of the meeting, the suggestion was not only that Virginia, but that the associating colonies, ought to break off dealings with the places which should refuse to carry out the plan adopted by congress. In Albemarle County, Jefferson penning the resolves, the pledge was accompanied by the suggestion that dealings should be cut off "from every part of the British Empire that should not break off their commerce with Great Britain." A convention of delegates from all the counties was held, in August, at Williamsburg; and

this body reiterated the pledge to abide by the decisions of the congress, and declared that those who refused ought to be regarded as inimical to the country. Thus it was well-nigh the universal voice of the people that the recommendations of the congress should have the force of laws.

This embodiment of the public will by the qualified electors in the municipalities, and through the instrumentality of representatives in the conventions, bore the impress of regularity. The pledge related only to matters in which all had a common interest. It was confined to dealing with the mother-country in procuring a redress of grievances. In relation to this, the great point reached was a solemn pledge to submit to the decision of the majority, "the vital principle of republics." The recommendations of the colonies in congress assembled were to be observed as a paramount rule of action. This may be regarded as the germ of the important provision of law incorporated thirteen years later into "The more perfect Union;" namely, "that this Constitution, and the laws of the United States made in pursuance thereof, and all treaties, shall be the supreme law of the land, any thing in the laws of any State to the contrary notwithstanding." The remarkable action did not pass unobserved. The Tories denied the lawfulness of making pledges in advance to abide by the decisions of the congress: the Whigs hailed them as an earnest that they meant to stand or fall together.[1]

[1] The simple resolve to abide by the decision of the congress was so common that it may be said to have been universal.

The colony of Maryland was among the first to vote to cut off all trade with those who would not acquiesce in the decision of the congress. The vote of Baltimore County, May 31, 1774, was in the following terms: "Resolved, unanimously, that the inhabitants of this county will, and it is the opinion of this meeting that this province ought to, break off all trade and dealings with that colony, province, or town, which shall decline or refuse to come into similar resolutions with a majority of the colonies." Anne Arundell County adopted a similar resolution June 4; Caroline County, June 18; Frederick County, June 20. Charles County, June 14, voted "to cut off dealing with the province, county, or town, that should refuse to associate in some rational means," &c. Other counties made similar pledges. A convention of the committees of the several counties was held at Annapolis, June 22, 1774. It voted,

The Tea Act and its sequence,—the Boston Port Act,—were fulfilling their mission. They were the proximate cause of events,—one naturally and inevitably evolving another,—which had the effect of changing the condition of the American cause from discord to harmony, from confusion to order,

unanimously, "that this province will break off all trade and dealings with that colony, province, or town, which shall decline or refuse to come into the general plan which may be adopted by the colonies." The proceedings of this convention were printed in full in the "Boston Evening Post," of July 25, 1774. The same issue has the proceedings of the inhabitants of South Carolina, at a meeting held in Charleston, on the 6th, 7th, and 8th of July, in which they "most solemnly engaged to abide by the decisions of congress."

The "Massachusetts Gazette" of Aug. 8, 1774, contains the proceedings of a meeting of the deputies chosen by the several counties in Pennsylvania, held in Philadelphia, July 15, 1774; occupying the whole of the first side of the paper, and a column on the next. Some of the resolutions were recorded as having passed by a majority; but the following was unanimously adopted: "That the people of this province will break off all trade, commerce, and dealing, and will have no trade, commerce, and dealing of any kind, with any colony on this continent, or with any city or town in such colony, or with any individual in any such colony, city, or town, which shall refuse, decline, or neglect to adopt and carry into execution such general plan as shall be agreed to in congress."

In New Jersey a meeting of the committees of the several counties was held on the 21st of July, at New Brunswick, and passed resolves in favor of a general congress, the commissioners to which should be empowered "mutually to pledge, each to the rest, the public honor and faith of their constituent colonies, firmly and inviolably to adhere to the determinations of the said congress."

In Virginia the pledge was as thorough as that of the Solemn League and Covenant of Boston. The whole of one side of the "Boston Gazette" of Aug. 8, 1774, is occupied with the proceedings, "At a general meeting of the Freeholders and Inhabitants of the County of Fairfax, on Monday, the eighteenth day of July, 1774, at the court house, in the town of Alexandria, GEORGE WASHINGTON, Esq., chairman, and ROBERT HARRISON, gentleman, clerk of said meeting." The 21st resolve is: "That, in the opinion of this meeting, this and the other associating colonies should break off all trade, intercourse, and dealings with that colony, province, and town, which shall decline or refuse to agree to the plan which shall be adopted by the General Congress." The Albemarle resolution, July 26, penned by Jefferson, is as follows: "To discontinue all commercial intercourse with every part of the British Empire which shall not in like manner break off their commerce with Great Britain." The Virginia convention of delegates from the counties of this colony at Williamsburg, Aug. 1, 1774, agreed upon a non-importation association, and voted not to deal with any merchant or trader who would not sign it, and to consider such persons as inimical to the country.

The following paragraph ("Edinburgh Advertiser," Aug. 9, 1774) shows that this class of facts did not pass unobserved abroad: "The following provinces, towns, counties, &c., in America, —viz., Connecticut, towns of Preston, Farmington, Wethersfield, and Hartford; Williamsburg, in Virginia; Baltimore, in Maryland; Annapolis; Rhode Island and Providence, —have unanimously resolved to break off all trade and dealings with Great Britain, &c., and with that colony, province, or town,

from the road to ruin to the broadway to national triumph. The Whig affirmed — the Tory conceded — that there was union. It rested on a public opinion so broad and deep — a determination so stern — that it had become a positive force. It was an invulnerable shield cast over American development; and, in relation to matters common to all and properly pertaining to its sphere, ready to dominate over merely provincial ideas and objects. As the learned in academic halls reflected on the grand unfolding, they said: "The last and recent stroke of the parliament at our liberties has astonished America into a real and efficacious union, which it is beyond the power of Europe to dissolve."[1] A noble actor on the stage, throbbing with genuine patriotism, now wrote: "The Americans have one common interest. Natural allies, they have published to the world professions of esteem and confidence, aid and assistance: they have pledged their faith of mutual friendship and alliance. Not only common danger, bondage, and disgrace, but national truth and honor, conspire to make the colonists resolve to stand or fall together."[2] This salient sentence sums up American history down to this time. Under the fresh impulse of the next parliamentary stroke, the sentiment of American union became embodied in an association having the force of law. In truth such a union of mind and heart was the country. It was pronounced indissoluble. On the flag floating over popular gatherings was the motto "Union and Liberty." They were facts and forces working together, and were correlative. The feeling thus early was union

which shall decline or refuse to come into similar resolutions with the majority of the colonies."

These votes were commented on with great severity in "The Congress Canvassed," a pamphlet printed in New York, 1775. The writer says of the Whigs: "You had no right to make a promise implicitly to obey all their (congress) regulations, before you knew what they were, and whether they would interfere with the public laws of the government or not." — p. 40.

[1] Ezra Stiles, in Holmes's Life, July 3), 1774, p. 180.

[2] Josiah Quincy, Jr., Observations on the Boston Port Bill. This pamphlet was advertised in the Boston newspapers of June 16, 1774.

and liberty, now and for ever: it seemed as though that generation realized that there could be no union without liberty, and no genuine liberty without the power there was in union to protect it. Indeed, it was decreed in the regular channels by which the will of the people is collected and declared, — in a solemn pledge "of national truth and honor," — that those who were not true to American union were false to American liberty.

The history presented in the stages of the development of American union is not that of one leader, or of a few leaders, who planned a great political movement and created the spirit by which it was to be executed; or who carried forward a people by the power of their intellect or the magnetism of their renown: it is rather the history of communities, who, however marked by diversity in their forms of local life, had really the foundation for a certain unity in being imbued with similar ideas, who were moved by similar impulses, and who alike aimed to guard the right to hold and improve the free institutions which they had developed. A claim more just was never proffered at the footstool of power. A history more interesting and valuable cannot be presented to American youth. It shows, in these communities, a population of two and a half millions in action; moving steadily forward — all marching together one way — towards an end which they earnestly and honestly disavowed and deprecated, but which, in the plan of Providence, was the goal marked out for them to reach.

The result thus far was real American union. During the ten years of the past struggle the popular leaders had inculcated the sentiment that union was salvation. The fact of its achievement inspired the ranks of the party with enthusiasm. It purified and magnified their work. "When I review," one writes, "the annals of the world, I am constrained to believe that great things await America. When Liberty was well-nigh banished from every quarter of the globe, she found an asylum in this savage land. Learning,

liberty, and every thing that ennobles the human mind, have constantly been travelling westward." These great things required a condition of freedom for their development. But the assumption of the right to tax, and the whole system of domination founded on this assumption, were repugnant to "the Saxon genius of liberty and law which English America inherited from the parent state." Ezra Stiles, who penned these words, prophesied: "If oppression proceeds, despotism may force an annual congress; and a public spirit of enterprise may originate an American Magna Charta and Bill of Rights, supported by such intrepid and persevering importunity as even sovereignty may hereafter judge it not wise to withstand. There will be a Runnymede in America." [1]

[1] July, 1774, Holmes's Life of Stiles, p. 180.

CHAPTER IX.

How a General Congress formed the Association of the United Colonies, and how Support was Pledged to the Inhabitants of Massachusetts in Resisting the Alteration of their Charter.

August, 1774, to 1775.

While the popular party were choosing delegates to the congress and agreeing to abide by its decisions, the American cause received a fresh impulse through the passage in parliament of two Acts altering the government of Massachusetts. As the people were refusing obedience to these Acts, the congress met, formed "The Association of the United Colonies," and pledged support to the inhabitants of Massachusetts, in case it was attempted to carry the Acts into execution by force; and this pledge was reiterated in letters from towns and counties tendering life and fortune in defence of the cause.

The king was unwearied in efforts to give direction to the measures relating to America. On the day the Port Bill was moved in parliament (March 14), he sent to Lord North a note, in which he urged an alteration of the charter of Massachusetts, and remarked that Lord Dartmouth was very firm as to its expediency.[1] On the 28th of March, late at night, he expressed "infinite satisfaction" to the premier, because he had moved that "leave be given to bring in a bill for the better regulating the government of the province of Massachusetts Bay." In his explanatory speech on this occasion, Lord North described that government as being in "so forlorn a situation" that no governor could act. He

[1] Donne, Correspondence of George III., i. 174.

dwelt upon the defects in the civil magistracy, the doings of the town meetings, the mode of selecting jurymen, and the general need of strengthening the executive authority. He commended the bill which he proposed to bring in as calculated "to purge that Constitution of all its crudities, and give a degree of strength and spirit to the civil magistracy and to the executive power."

In the debate which followed, Lord George Germain not only approved of the objects specified by Lord North, but proposed to regulate other parts of the internal government, and particularly to alter the basis on which the council and the municipalities rested. He said: "There is a degree of absurdity, at present, in the election of the council. I cannot, sir, disagree with the noble lord; nor can I think he will do a better thing than to put an end to their town meetings. I would not have men of a mercantile cast every day collecting themselves together, and debating about political matters: I would have them follow their occupations as merchants, and not consider themselves as ministers of that country. I would also wish that all corporate powers might be given to certain people of every town, in the same manner that corporations are formed here: I should then expect to see some subordination, some authority and order. . . . The juries require great regulation: they are totally different from ours. . . . I would wish to bring the Constitution of America as similar to our own as possible. I would wish to see the council in that country similar to a House of Lords in this. . . . You have, sir, no government, no governor: the whole are the proceedings of a tumultuous and riotous rabble, who ought, if they had the least prudence, to follow their mercantile employment, and not trouble themselves with politics and government, which they do not understand." On the conclusion of this speech, Lord North rose and said: "I thank the noble lord for every proposition he has held out: they are worthy of a great

mind, and such as ought to be adopted."[1] The noble lords contrived to embody in their speeches "the ignorance and contempt of America pervading England, from the cedar to the hyssop on the wall."[2]

There was much deliberation in the cabinet relative to the council, Lord Mansfield urging that the nomination of the members ought to be vested in the crown. The king wrote (April 14) to Lord North: "I find it so much the wish of the cabinet, that I cannot too strongly express my preferring your introducing the bill to-morrow that is drawn up for vesting the nomination of the councillors in the crown." Accordingly the bill moved the next day by the obedient premier contained this important addition. He stated, that, upon the hints thrown out by Lord George Germain, he had altered also the mode of choosing juries. At nine o'clock that evening the king was "infinitely pleased" at the introduction not only of this bill, but also of the "bill for the impartial administration of justice," designed to aid the enforcement of the former law.[3] The second reading (April 22) gave him "infinite satisfaction;" and he was again (May 3) "infinitely pleased" that the bill passed, and that the majority was so considerable.[4] It received the

[1] This debate was printed in the Boston newspapers of May 19 and 23, 1774. It is in "Parliamentary History," vol. xvii. pp. 1192–1195. It will be observed that Lord George Germain proposed to substitute for the municipalities in America, a system like the self-perpetuating councils (see above, p. 15) of England; and Lord North approved of all his propositions.

[2] Donne uses these words in a note (Correspondence of George III., i. 187).

[3] The king feared that the motion for leave to bring in the bill would be postponed, and hence his unusual satisfaction. Ibid., i. 178.

[4] Letters of George III., of the dates in the text in Donne's Correspondence, i. 181, 182, 183. On the 6th of May, the king, in a note to Lord North, dated Kew, fifty-one minutes past nine, P.M., writes: "The Bill for the better administration of justice in Massachusetts Bay, having been read a third time, and passed the House of Commons this day, after a short debate, with a great majority, gives me infinite satisfaction. Perseverance, and the meeting difficulties, as they arise, with firmness, seem the only means of either with credit or success terminating public affairs. Your conduct on the American disturbances is a very clear proof of the justness of that proposition." The conduct of the Americans at this period supplied another very clear proof of the effect of this firmness and perseverance.

royal assent on the 20th of May. The Act "for the impartial administration of justice" passed by similar majorities, and was signed at the same time. Both were to take effect from their passage.

The Regulating Act made elections of the council under the charter void, provided that the board should consist of not less than twelve members nor more than thirty-six, and vested their appointment in the crown. The Governor was clothed with power to appoint and remove judges of the inferior courts, justices of the peace, and other minor officers. The Governor and council were to appoint and remove sheriffs, who were authorized to select jurymen. Town meetings, except for the choice of officers, were forbidden, without permission of the Governor. The Act relating to the administration of justice provided for the transportation of offenders and witnesses to other colonies or to England for trial. A Protest in the House of Lords objected that the parties had no notice of this proceeding, and had not been heard in their defence; and that this Act invested "the Governor and council with powers with which the British Constitution had not trusted His Majesty and his privy council"; that "the lives, liberties, and properties of the subject were put into their hands without control."[1]

These severe acts of naked injustice were inspired by that jealousy of the republican element which had tormented the Board of Trade ever since its formation, and which the Earl of Clarendon judged in his day had begun to ripen.[2] They were designed as the beginning of the abridgment of English liberties, and of the remodelling of the Constitutions, which had long been desired by the school that distrusted the capacity of the people for self-government. They involved the fundamentals of personal liberty, trial by jury, discussion of political measures, and free assemblies. They struck at the

[1] Parliamentary History, xvii. 1323. The Protest was circulated widely in the American journals.

[2] See above, p. 15; also Lord Hillsborough's declaration in parliament, p. 250.

general right of the colonies to mould their internal polity. In these Acts parliament assumed the power to alter the American Constitutions at its will and pleasure. If it could deal in this way with Massachusetts, it could deal in a similar way with all the colonies. In fact, the laws were a complete embodiment of the principle of the obnoxious Declaratory Act.[1]

These measures, on which hung great issues, were first made known to America through the drafts of the bills as moved in the House of Commons. They reached Boston on the second day of June, and were printed in the newspapers on the third. The action of the Boston committee was, as usual, prompt and decisive; and the committees throughout the province did not fall behind the Boston committee in boldness and zeal. "We were chosen," wrote Samuel Adams to Charles Thomson, of Philadelphia, "to be, as it were, outguards to watch the designs of our enemies; and have a correspondence with almost every town in the colony. By this means we have been able to circulate the most early intelligence of importance to our friends in the country, and to establish a union which is formidable to our adversaries."[2] The legislative committee immediately transmitted these bills to the other legislative committees, with a circular in which they say: "These edicts, cruel and oppressive as they are, we consider but as bare specimens of what the continent are to expect from a parliament who claim a right to make laws binding us in all cases whatsoever." The

[1] Earl Russell (Life of C. J. Fox, i. 63) says of the Act altering the government of Massachusetts: "A measure more subversive of freedom, more contrary to all constitutional principles, and more likely to excite America against imperial authority, could not well be framed."

Lord Mahon, in his History (vol. vi. p. 548) remarks: "How rash the precedent, at such a time, of dealing so lightly with a royal charter! How far wiser had it been to bear any amount of inconvenience from the defects of the existing fabric, rather than attempt its reconstruction at the very moment when the storm was raging around it! . . . If one charter might be cancelled, so might all: if the rights of any one colony might hang suspended on the votes of an exasperated majority in England, could any other deem itself secure?"

[2] Letter to Charles Thomson, May 30, 1774.

policy now marked out by the patriots of Boston is seen in the utterances of Samuel Adams, which continue to be calm and prophetic. "Boston suffers with dignity: if Britain, by her multiplied oppressions, accelerates the independency of her colonies, whom will she have to blame but herself? It is a consolatory thought that an empire is rising in America."[1] "Our people think they should pursue the line of the Constitution as far as they can; and if they are driven from it, they can then with propriety and justice appeal to God and the world. . . . I would wish to have the humanity of the English nation engaged in our cause, and that the friends of the Constitution might see and be convinced that nothing is more foreign to our hearts than a spirit of rebellion. Would to God they all, even our enemies, knew the warm attachment we have for Great Britain, notwithstanding we have been contending these ten years with them for our rights."[2] These are not the words of one who was mixing a bitter cup, but rather of one who had schooled himself to take submissively the cup which the Providence of events might present.

The popular party was then in the heat and glow of the noble enthusiasm inspired by the fact of union. It was natural that measures, which struck at the ancient right of local self-government should rouse general alarm and indignation. Those who had been moderate and wavering became resolute and resentful. The condemnation of these bills was spontaneous and withering. They were doomed to annulment before intelligence was received of their passage into laws; and when Governor Gage received them officially, the public conviction of their enormity had become embodied in the sternest action.

A few illustrations of the temper and determination of the popular party must suffice. In Pennsylvania, a convention of all the counties characterized the proposed Acts as un-

[1] Letter to William Checkley, June 1, 1774.
[2] Letter to Charles Thomson, June 2, 1774.

constitutional, oppressive, and dangerous to the American colonies.[1] A convention "of the whole province of Maryland" declared that the bills, if passed into Acts, would lay a foundation for the utter destruction of British America.[2] In South Carolina, a great meeting of freeholders from all parts of the province resolved, that, if these bills were allowed to go into effect, there would not be the shadow of liberty to person, or security to property, to His Majesty's subjects residing on the American continent.[3] In Virginia, the freeholders of Fairfax County, George Washington in the chair — resolved, that, unless these cruel measures were counteracted, the end would be the ruin of the colonies; and that, should the town of Boston be forced to submit, the citizens of Fairfax should not hold the same to be binding upon them, but, notwithstanding, would religiously maintain and inviolably adhere to such measures as should be concerted by the general congress for the preservation of their lives, liberties, and fortunes.[4] This action was crowned by the declaration of the convention of all the counties, in August, that, under the original Constitution of the American colonies, their assemblies had the sole right of directing their internal polity; that the proclamation of General Gage was a plain declaration that this despotic viceroy would be bound by no law, and that an attempt to execute it would justify resistance and reprisal.[5]

The newspapers were laden with political appeals and the

[1] The proceedings of the Pennsylvania convention of deputies from the several counties, July 15, were printed in the "Boston Evening Post" of August 8.

[2] The proceedings in full of the meeting of committees, in session from June 22 to 25, are in the "Essex Gazette" of July 19.

[3] The resolves of this meeting of the 6th, 7th, and 8th of July are in the "Massachusetts Gazette" of July 26. They say that the proposed Acts, though levelled at Boston, "very manifestly and glaringly show, if the inhabitants of that town are intimidated into a mean submission to these Acts, that the like are designed for all the colonies. . . . It is the duty of the inhabitants of all the colonies to support the inhabitants of Boston," &c.

[4] The proceedings of this meeting are in the "Boston Gazette" of August 8.

[5] The instruction of the convention to the delegates is in the "Boston Evening Post" of August 29.

proceedings of public bodies, enjoining unanimity and resolution. They showed that the popular party were arrayed in solid phalanx against the Regulating Acts. "You," an address to Gage reads, "consider the opposition fomented by three or four factious men in Boston. You ought to know better, after reading the resolves of every province, city, town, and county on the continent. There are no such reservoirs of public virtue in America as there are of corruption in England. We are all alike charged with the fire of patriotism."[1] "Our country people," a letter says, "appear to be very firm: they look to the last extremity with spirit."[2] It was said in South Carolina: "One soul animates three millions of brave Americans, though extended over a long tract of three thousand miles."[3] "If they [the ministers] ever subdue the spirit of New England,—may God forbid!—that instant the evil genius of Tyranny will begin to stalk over these premises with gigantic strides."[4]

The injunction to the patriots of Massachusetts to act with efficiency came to them still more directly through letters addressed to the Boston committee from every quarter. A few sentences from these letters will serve to shew their spirit. "We view the attack made by the minister upon the colony of the Massachusetts Bay to be intended to pave the way to a general subversion of the constitutional rights of North America. It becomes, therefore, the duty of every American, who is not an apostate to his country, to pursue every justifiable method to avert this impending calamity."[5] "A more finished picture of despotism cannot be drawn by the

[1] The "Pennsylvania Journal" of August 17. This extract is from a sharp address to General Gage, copied into the "Essex Gazette" September 6.

[2] Boston Evening Post, August 8.

[3] Boston Gazette, August 15.

[4] This extract is from a spirited and generous piece copied into the "Boston Evening Post," August 1, with this introduction: "The following piece, taken from the 'South-Carolina Gazette,' is republished here both on account of the excellent sentiments it expresses, which are applicable to all the British colonies, and to shew that our brethren in South Carolina concur with the other colonies in resenting and opposing the tyrannical Acts of the British parliament."

[5] Letter from Cape Fear, North Carolina, July 29.

skill of man than is portrayed in the famous Declaratory Bill, nor could it be carried into more perfect execution than by the Boston Port Bill, and by two other Acts destroying the ancient rights of your colony. America perfectly knows that you are only designed for the first victim in the hecatomb of sacrifice to be offered to the god of Oppression, and will not therefore willingly suffer you to bleed at the shrine of his brazen altar, until we all bleed and die together."[1] "We mean, in the first place, to attempt to appease the fire (raised by your committing the India tea to the watery element as a merited oblation to Neptune) of an ambitious and vindictive minister by the blood of rams and of lambs:" [a flock of sheep came with the letter] "if that do not answer the end, we are ready to march in the van, and to sprinkle the American altars with our hearts' blood, if occasion should be. . . . The public virtue now exhibited by Americans exceeds all of its kind that can be produced in the annals of the Greeks and Romans. Behold them from north to south, from east to west, both publishing their sentiments and supporting their poor. . . . You are held up as a spectacle to the whole world. All Christendom are longing to see the event of the American contest. And do, most noble citizens, play your part manfully, of which we make no doubt. Your names are either to be held in eternal veneration or execration. If you stand out, your names cannot be too much applauded by all Europe and all future generations."[2] "At this period of your suffering, and on the reception of the second and third unrighteous Acts of parliament, usurping authority and oppressing your town and province, we are anxiously looking that some important event will take place. It becomes us to be watchful; and

[1] Lebanon correspondence, August 8. William Williams was one of the signers of this letter.

[2] Parish of Brooklyn, in Pomfret, Connecticut, August 11. Col. Israel Putnam, one of the signers, came on with a donation of sheep: was the guest of Joseph Warren; talked with old friends in the British army, whom he met subsequently in battle at Bunker Hill.

there is reason to fear that nothing short of another kind of resistance will regain and secure our privileges." [1]

Thus the will of the people, collected generally through the forms in which they were accustomed to proceed in political affairs, and expressed with as much regularity as circumstances would permit, was declared with respect to the two new Acts. It was, that they should share the fate of the Stamp Act and the Tea Act, even though the shedding of blood might be the consequence. And this verdict is found of record before the general congress met, or before the Acts were attempted to be put in force. In the natural course of events, a crisis was reached, involving ideas in deadly conflict with each other: for the public opinion of twelve colonies may be said to have enjoined the inhabitants of Massachusetts, for the sake of civil liberty, to refuse obedience to the two Acts, as imperatively as the king's instructions, in behalf of feudal England, enjoined General Gage to carry them into execution.

While these interesting events were occurring, the cabinet were taking the necessary steps to execute the two Acts. Ex-Governor Hutchinson now arrived in London, and was summoned (July 1) immediately to the royal closet. For nearly two hours he was interrogated by the king in relation to the affairs of Massachusetts. One of the first questions naturally was: "How did you leave your government, and how did the people receive the news of the late measures in parliament?" Hutchinson replied: "When I left Boston (June 1), we had no news of any Act of parliament, except the one for shutting up the port, which was extremely alarming to the people." The king asked: "Pray, Mr. Hutchinson, what is your opinion of the effect from the new regulation of the council? Will it be agreeable to the people, and will the new appointed councillors take the trust upon them?" Hutchinson replied: "I have not been able to inform myself who they are. I came

[1] Preston, August 20.

to town late last evening, and have seen nobody. I think much will depend upon the choice that has been made." The king rejoined: "Inquiry was made, and pains taken that the most suitable persons should be appointed." Hutchinson remarked: "The body of the people are dissenters from the Church of England, — what are called Congregationalists. If the council shall generally be selected from the Episcopalians, it will make the change more disagreeable." This is all the conversation that was minuted by Hutchinson relative to these important Acts.[1] The impressions which the king received from the interview were set down two minutes past nine, that evening, in a note which he addressed to Lord North. "I am now well convinced," he wrote, "they will soon submit: he (Hutchinson) owns the Boston Port Bill was the only wise and effectual method that could have been suggested for bringing them to a speedy submission, and that the change in the legislature will be a means of establishing some government in that province, which, till now, has been one of anarchy."[2] Hutchinson deceived himself and the king, if he placed any reliance on the character or religion of the persons selected for councillors; and never was a ruler more wofully in error than was George III. as to the temper of the Americans.

The instructions of the cabinet relative to the execution of these Acts were prepared under the influence of this fatal error. They bear date June 3d, and were transmitted through Lord Dartmouth to General Gage. They were quite elaborate, and instructed him that whatever violences were committed must be resisted with firmness, that the constitutional authority of this kingdom over its colonies must be vindicated, and that not only its dignity and reputation, but its power, nay, its very existence, depended on that moment. "For," said Lord Dartmouth, "should those ideas of independence, which

[1] Extracts from the Journal of Thomas Hutchinson, dated July 1, 1774. I am indebted to Mr. Bancroft for this interesting MS.

[2] George III. to Lord North, July 1, 1774, two minutes past nine, P.M. Donne, i. 194.

some dangerous and ill-designed persons here are artfully endeavoring to instil into the minds of the king's American subjects, once take root, that relation between this kingdom and its colonies which is the bond of peace and power will soon cease to exist; and destruction must follow disunion." Here power commanded, in terms as imperative as the language afforded, the execution of the illegal Acts as completely as though they were constitutional and just.

Governor Gage did not officially receive the two Acts and the instructions in relation to them until the 6th of August, when he also received appointments for thirty-six councillors.[1] Twenty-four of the number accepted. An informal meeting was held on the 8th of August, and all were notified to assemble on the 16th for the transaction of business.[2] The sheriffs summoned persons to serve as jurors. The judges prepared to hold courts, and the Governor to support their authority by military force. He had at his command troops from famous European battle-fields. One regiment was stationed at Salem, where he resided; one at Castle William, in Boston Harbor. In Boston, one regiment was at Fort Hill, and four regiments were on the Common. Nearly thirty ships of war were in the harbor.

The Governor now sent for the selectmen of Boston, and told them he should endeavor to put the Regulating Act into execution, especially the clause in relation to holding town meetings; and if any ill consequences followed, they only would be blamable. Town meetings, however, were held all over the province, and chose delegates to county conventions. The committees of correspondence were especially active, and held continual conferences. The words of a noble and brave man, who fell at Bunker Hill, will serve as a type of Massachusetts in this hour of trial: "I consider the call of my country as the call of God, and

[1] The names of the thirty-six councillors appointed by His Majesty were printed in the "Massachusetts Gazette" August 11.

[2] The names of thirteen councillors, who met and took the oath of office on the 16th, were published in the newspapers of the 18th.

desire to be all obedience to such a call. The committees of correspondence for the several towns in the county of Worcester have assembled, are in high spirits, and perfectly united. The committees of Cambridge and Charlestown are to have a conference to-morrow. I trust the whole county of Middlesex will soon be assembled by delegates. I have the greatest reason to believe will choose to fall gloriously in the cause of their country rather than meanly to submit to slavery."[1] A meeting of these committees from several counties, held in Faneuil Hall, matured measures for securing a thorough resistance to the two Acts, and for convening a Provincial Congress. The community was now thoroughly roused. It was said in the public prints: "The spirit of the people was never known to be so great since the settlement, and they were determined to die or to be free."

A great uprising began on the 16th of August at Great Barrington. When the judges attempted to hold a court, the farmers thronged to the place, filled the building, and blocked up the avenue leading to it. The sheriff commanded them to make way for the court, but the answer was: "No court will be submitted to but on the ancient laws and usages." In Boston, the chief justice and associate justices and barristers, arrayed in their robes, went unmolested in procession from the town house in King, now State Street, to the court house in Queen Street, and took their accustomed places; but the jurors, both grand and petit, stood up and refused to be sworn. In Salem, the Governor issued a proclamation warning all persons against attending a town meeting, which was nullified within the sound of his drums. The mandamus councillors who accepted felt the storm of public indignation. As one, an honored citizen of Plymouth, and a Congregationalist, took his seat in the church on Sunday, a large number of persons rose and walked out of the house; when another in Bridgewater, a deacon, also a Congregationalist, read the psalm, the congregation refused to

[1] Thomas Gardiner to the Boston committee of correspondence, August 12.

sing; and several councillors living in the country were compelled by gatherings of the people to resign. The county officers were similarly dealt with, and were universally compelled to decline their appointments. The patriots said that "their souls were touched by a sense of the wrongs already offered them, as well as those which were threatened," and that "they would never rest, while one man who had accepted any office under the new Acts was possessed of any post of power or profit."[1] They averred that herein they acted in accordance with the Christian duty of each individual. They used no more force than was required to effect the object they had in view,—complete disobedience to the new Acts; and, expressing an abhorrence of mobs, they declared "that, in a contest so solemn and a cause so great, their conduct should be such as to merit the approbation of the wise, and the admiration of the brave and free, of every age and country." "On experiment," Dr. Ramsay remarks, "it was found that to force on the inhabitants a form of government to which they were totally averse was not within the fancied omnipotence of parliament."[2]

The resistance to the two Acts was thorough. It is no injustice to other patriots to say that in this perilous duty Joseph Warren rose to the height of a rare opportunity to serve his country. The occasion brought forth his power. He is found in the committee room, in the town meeting, in the county congress, in great popular demonstrations, and in personal consultations with the Governor. His soul was in arms. His unstudied words were a mirror, reflecting the passion and resolve of indignant freemen as they stood manfully for their rights, and burn and glow with the fire of the time. "Where liberty"—he wrote to a Connecticut town, in the thick of action, without a thought of himself—"where

[1] Essex Gazette, August 30. The "Gazette" of this date contains full details of the uprising; among them, the dealing with the councillors in Plymouth, Bridgewater, and Taunton. It contains also many resignations of officers appointed under the new Acts.

[2] History of the American Revolution, i. 132.

liberty is the prize, who would shun the warfare, who would stoop to waste a coward thought on life? We esteem no sacrifice too great, no conflict too severe, to redeem our inestimable rights and privileges. 'Tis for you, brethren, for ourselves, for our united posterity, we hazard all; and permit us humbly to hope that such a measure of vigilance, fortitude, and perseverance will still be afforded us, that, by patiently suffering and nobly daring, we may eventually secure that more precious than Hesperian fruit, the golden apples of freedom. We eye the hand of Heaven in the rapid and wonderful union of the colonies; and that generous and universal emulation to prevent the sufferings of the people of this place gives a prelibation of the cup of deliverance. May unerring Wisdom dictate the measures to be recommended by the congress! May a smiling God conduct this people through the thorny paths of difficulty, and finally gladden our hearts with success!"[1]

The congress now engrossed the public mind. It convened when the disobedience of the people of Massachusetts to the Regulating Act was representing the determined and stern feeling of the thirteen colonies, and when the conviction was growing that arms would have to decide the contest. "Let us remember," a Virginian wrote, "that with the sword our fathers obtained their constitutional rights, and by the sword it is our duty to defend them."[2] In the conviction that this duty must be performed, Washington, ready to stake his fortune and his life in the cause, said in the Virginia convention: "I will raise one thousand men, subsist them at my own expense, and march myself at their head for the relief of Boston."[3] About the time these words were spoken,

[1] Letter to Stonington, August 24. On the 29th, Warren says to Samuel Adams: "I am constantly busied in helping forward the political machines in all parts of the province." — Life and Times of Warren, p. 352.

[2] To the Gentlemen of the General Convention of Virginia, Williamsburg, July 28, 1774.

[3] This was in August, 1774. Works of John Adams, ii. 360. Mr. Lynch, of South Carolina, said to John Adams that this was the most eloquent speech that ever was made.

Joseph Hawley, of Massachusetts, embodied his views of the questions in issue, and his belief that the colonies "must fight," in a paper remarkable for its insight and comprehensiveness.[1] Samuel Adams had long been of this opinion; and John Adams, after his appointment as a delegate, said: "We shall have to resist by force."[2] He read Hawley's paper to Patrick Henry, who responded: "I am of that man's mind." Adam Stephen, a Virginia soldier, urged in strong terms the necessity of military preparation, in a letter addressed to a member elect of the congress, and expressed the general feeling in relation to this body, as he wrote: "I expect to see the spirit of the Amphictyons shine as that illustrious council did in their purest times, before debauched with the Persian gold. The fate of America depends upon your meeting; and the eyes of the European world hang upon you, waiting the event."[3]

On the fifth day of September most of the delegates elected to the congress were in Philadelphia. They were invited by the speaker of the Pennsylvania assembly to hold

[1] This paper, entitled "Broken Hints," was read to Patrick Henry in the autumn of 1774, and was first printed in Niles's "Acts of the Revolution," 1822, p. 324. It was prepared before the middle of August; for, when it was written, there might have been a question whether the Regulating Act should be "immediately withstood and resisted," but at that date the question was settled: the Act was annulled.

The paper begins: "We must fight, if we can't otherwise rid ourselves of British taxation, all revenues, or the constitution or form of goverment enacted for us by the British parliament. It is evil against right, — utterly intolerable to every man who has any idea or feeling of right or liberty."

This noble utterance has the following on union: —

"Our salvation depends upon an established, persevering union of the colonies.

"The tools of administration are using every device and effort to destroy that union, and they will certainly continue to do so.

"Thereupon, all possible devices and endeavors must be used to establish, improve, brighten, and maintain such union.

"Every grievance of any one colony must be held and considered by the whole as a grievance to the whole. This will be a difficult matter, but it must be done."

[2] As John Adams and Samuel Adams were conversing in John Adams's office in Boston, immediately after their appointment as delegates, John Adams said, in the presence of John Trumbull: "I suppose we must go to Philadelphia together, and enter into non-importation, non-consumption, and non-exportation agreements; but they will be of no avail: we shall have to resist by force." — Pitkin, i. 277.

[3] Letter to R. H. Lee, Aug. 27, 1774.

their sessions in the State House, but decided to meet in the hall owned by the carpenters, — a fine brick building, having commodious rooms for the use of the committees, and an excellent library in the chambers. It is still in good preservation. At ten o'clock in the morning the delegates met at the City Tavern, walked to Carpenters' Hall,[1] and began the sessions of the Continental Congress.

This assembly, when all the members had taken their seats, consisted of fifty-five delegates, chosen by twelve colonies. They represented a population of two millions two hundred thousand, paying a revenue of eighty thousand pounds sterling.[2] Georgia, which did not elect delegates, gave a promise to concur with her "sister colonies" in the effort to maintain their right to the British Constitution, — which, according to the American interpretation, was "a Constitution founded on reason and justice, and the indelible rights of mankind":[3] words that went to the depths of the American cause. In general, the delegates elect were men of uncommon ability, who had taken a prominent part in the political action of their several localities, had won public confidence, and were fair exponents of the aims, feelings, and political ideas of the country. Some had corresponded; one was in the Albany convention of 1754; eight were members of the congress of 1765; but nearly all met for the first time.[4]

Each of the three divisions by which the colonies were usually designated — the New England, the Middle, and the Southern colonies — had on the floor of the congress men

[1] The hall has chairs in which the delegates sat, — interesting Revolutionary memorials, — and the following inscription: "Within these walls Henry, Hancock, and Adams inspired the delegates of the colonies with nerve and sinew for the toils of war resulting in National Independence."

[2] This was the calculation made by R. H. Lee, and probably did not include slaves. — John Adams's Works, ii. 362.

[3] Resolutions of a general meeting of the inhabitants of Georgia, Aug. 10, 1774.

[4] Stephen Hopkins was in the Albany convention. Thomas McKean and Cæsar Rodney of Delaware, Philip Livingston of New York, John Dickinson of Pennsylvania, Thomas Lynch, John Rutledge, and Christopher Gadsden, of South Carolina, and Eliphalet Dyer of Connecticut, were in the Stamp Act Congress.

of a positive character. New England presented, in John Sullivan, vigor; in Roger Sherman, sterling sense and integrity; in Thomas Cushing, commercial knowledge; in John Adams, large capacity for public affairs; in Samuel Adams, a great character, with influence and power to organize. The Middle colonies presented, in Philip Livingston, the merchant prince of enterprise and liberality; in John Jay, rare public virtue, juridical learning, and classic taste; in William Livingston, progressive ideas tempered by conservatism; in John Dickinson, "The Immortal Farmer," erudition and literary ability; in Cæsar Rodney and Thomas McKean, working power; in James Duane, timid Whigism, halting, but keeping true to the cause; in Joseph Galloway, downright Toryism, seeking control, and at length going to the enemy. The Southern colonies presented, in Thomas Johnson, the grasp of a statesman; in Samuel Chase, activity and boldness; in the Rutledges, wealth and accomplishment; in Christopher Gadsden, the genuine American; and in the Virginia delegation, an illustrious group,—in Richard Bland, wisdom; in Edmund Pendleton, practical talent; in Peyton Randolph, experience in legislation; in Richard Henry Lee, statesmanship in union with high culture; in Patrick Henry, genius and eloquence; in Washington, justice and patriotism. "If," said Patrick Henry, "you speak of solid information and sound judgment, Washington unquestionably is the greatest man of them all." Those others who might be named were chosen on account of their fitness for duties which the cause required. Many had independent fortunes. They constituted a noble representation of the ability, culture, political intelligence, and wisdom of twelve of the colonies.[1]

The delegates represented communities, so far as their

[1] "The congress is such an assembly as never before came together, on a sudden, in any part of the world. Here are fortunes, abilities, learning, eloquence, acuteness, equal to any I ever met with in my life."—John Adams, Sept. 29, 1774 (Works, ix. 346).

domestic relations were concerned, independent of each other. Each had its own assembly, which had framed the local laws. Indeed, there were no political relations whatever between them, except the important one of being alike British subjects, of owing allegiance alike to the British crown, and being alike proud of the glories of the British flag. But the measures counted on to produce division in their councils tended to union. The evidences were increasing, that these communities, in which diversity had so long ruled paramount, were sternly resolved to embody their sentiment of union in a common bond that should operate with the force of law. Thus "colonies differing in religious opinions and in commercial interests, in everything dependent on climate and labor, in usages and manners, swayed by reciprocal prejudices, and frequently quarrelling with each other respecting boundaries, found themselves united in one representative body, and deriving from that union a power that was to be felt throughout the civilized world."[1] The object aimed at, as stated in the credentials of the delegations,[2] and especially in those of the two powerful colonies

[1] Bancroft's History, vii. 127.

[2] The delegates were chosen and commissioned as follows.

From Rhode Island. — Stephen Hopkins, Samuel Ward. Chosen by the assembly, June 15. Credentials signed by J. Wanton, the Governor. Authorized "to consult upon proper measures to obtain a repeal of the several Acts, . . . and upon proper measures to establish the rights and liberties of the colonies upon a just and solid foundation, agreeable to the instructions given you by the general assembly."

Massachusetts. — Thomas Cushing, Samuel Adams, John Adams, Robert Treat Paine. Chosen by the assembly, June 17. Credentials signed by Samuel Adams, clerk. Authorized "to consult upon the present state of the colonies, . . . and to deliberate and determine upon wise and proper measures, to be by them recommended to all the colonies, for the recovery and establishment of their just rights and liberties, and the restoration of union and harmony between Great Britain and her colonies, most ardently desired by all good men."

Maryland. — Matthew Tilghman, Thomas Johnson, Robert Goldsborough, William Paca, Samuel Chase. Chosen, June 22, by committees of the counties assembled in convention. Their credentials were the resolve of the convention. It authorized them "to effect one general plan of conduct, operating on the commercial connection of the colonies with the mother country, for the relief of Boston, and preservation of American liberty."

Connecticut. — Eliphalet Dyer, Roger Sherman, Silas Deane. Chosen by the committee of correspondence, July 13, who were authorized to act by the assembly.

of Massachusetts and Virginia, was to obtain a redress of grievances, and to restore harmony between Great Britain and America, which, it was said, was desired by all good men.

Credentials signed by the committee of correspondence. Authorized to "consult and advise with the commissioners or committees of the several English colonies in America, on proper measures for advancing the best good of the colonies."

New Hampshire. — John Sullivan, Nathaniel Folsom. Chosen, July 21, in a convention of deputies from the towns. Their credentials were the vote of the convention. Authorized "to devise, consult, and adopt such measures as may have the most likely tendency to extricate the colonies from their present difficulties; to secure and perpetuate their rights, liberties, and privileges; and to restore that peace, harmony, and mutual confidence which once subsisted between the parent country and her colonies."

Pennsylvania. — Joseph Galloway, Samuel Rhoades, Thomas Mifflin, Charles Humphries, John Morton, George Ross, Edward Riddle. Chosen, July 22, by the assembly. Their credentials were the vote of the assembly. The delegates were authorized "to consult together on the unhappy state of the colonies, and to form and adopt a plan for the purposes of obtaining a redress of grievances, ascertaining American rights upon the most solid and constitutional principles, and for establishing that union and harmony between Great Britain and her colonies which is indispensably necessary for the welfare and happiness of both."

New Jersey. — James Kinsey, William Livingston, John Dehart, Stephen Crane, Richard Smith. Chosen, July 23, by committees of the counties met in convention. Credentials signed by fourteen of the members. Authorized "to represent the colony of New Jersey."

Delaware. — Cæsar Rodney, Thomas McKean, George Reed. Chosen, August 1, by a convention of the representatives of the freemen of the government of the three counties of New Castle, Kent, and Sussex. Credentials signed by Cæsar Rodney, chairman. Authorized "to determine upon all such prudent and lawful measures as may be judged most expedient for the colonies immediately and unitedly to adopt, in order to obtain relief for an oppressed people, and the redress of our general grievances."

South Carolina. — Henry Middleton, John Rutledge, Thomas Lynch, Christopher Gadsden, Edward Rutledge. Appointed first by a general meeting held in Charleston on the sixth, seventh, and eighth days of July, and ratified by the assembly on the second day of August. Credentials signed by Thomas Farr, Jr., clerk of the assembly. Authorized "to agree to and effectually prosecute such legal measures as in the opinion of said deputies, and the opinion of the deputies so to be assembled, shall be most likely to obtain a repeal of" certain Acts, and a redress of grievances.

Virginia. — Peyton Randolph, Richard Henry Lee, George Washington, Patrick Henry, Richard Bland, Benjamin Harrison, Edmund Pendleton. Chosen, August 5, by meeting of delegates of the counties. Credentials were the vote of the convention. It authorized them "to represent the colony in a general congress," in a body convened "to procure a redress for Massachusetts, secure British America from the ravage and ruin of arbitrary taxes, and speedily to procure the return of that harmony and union so beneficial to the whole empire, and so ardently desired by all British America."

North Carolina. — William Hooper, Joseph Hewes, Richard Caswell. Chosen, August 25, at a provincial convention. Credentials signed by John Harvey, mod-

It was the conviction that this might be done through a Bill of Rights, in which the limits of the powers of the colonies and the mother country might be defined.

The congress was organized by the choice of Peyton Randolph of Virginia for President, and Charles Thomson of Philadelphia, not a member, for Secretary. The President was widely known. The Secretary had identified himself with the cause in Philadelphia, and was destined to serve it long and faithfully. The credentials of the members were next read and approved. A discussion then arose on the rules to be observed in determining questions, in which Patrick Henry, Richard Henry Lee, and John Adams participated, and which was renewed the next day, when it was agreed that each colony should have one vote.[1] Congress then decided to appoint a committee to state the rights of the colonies, the instances in which those rights had been violated, and the most proper means to obtain their restoration; and another committee to examine and report upon the statutes affecting the trade and manufactures of the colonies. On this day Samuel Adams, in answer to the objection to opening the sessions with prayer, grounded on the diversity of religious sentiment among the members, said that he could hear a prayer from a man of piety and virtue, who was a friend to the country, and moved that Mr. Duché, an Episcopalian, might be desired to read prayers to the congress on the following morning.[2] The motion prevailed, and congress soon after adjourned.

erator, and Andrew Knox, clerk. "Invested with such powers as may make any acts done by them, or consent given in behalf of this province, obligatory in honor upon every inhabitant hereof, who is not an alien to his country's good, and an apostate to the liberties of America."

New York. — James Duane, John Jay, Philip Livingston, Isaac Low, William Floyd, Henry Wisner, John Alsop, John Herring, Simon Boerum. They were chosen by counties, and their credentials were "certificates of their election" by the people. The last delegate, Boerum, took his seat October 1.

[1] "Resolved, That, in determining questions in this congress, each colony or province shall have one vote; the congress not being possessed of, or at present able to procure, proper materials for ascertaining the importance of each colony." — Journals, i. 11.

[2] Letters of John Adams, i. 23.

That evening the report came that the British ships were bombarding Boston. The public mind was deeply agitated. "War! war! war! was the cry," John Adams wrote. The members met the next morning in this agitated state. The Reverend Jacob Duché appeared with his clerk and in his pontificals; read several prayers; then the Psalm for the seventh day of the month, — the thirty-fifth, — which began: "Plead Thou my cause, O Lord, with them that strive with me, and fight Thou against them that fight against me. Lay hand upon the shield and buckler, and stand up to help me:" and then, John Adams said, he "unexpectedly to anybody struck out into an extemporary prayer for America, for the congress, for Massachusetts, and especially for Boston, which was so fervent that it filled the bosom of every man present." On this day the members of the two committees already named were appointed, when the congress adjourned for several days.

The congress sat with closed doors. Nothing transpired of their proceedings, except the organization and the rule of voting. The members bound themselves to keep their doings secret until a majority should direct their publication. Their decisions were awaited in the deepest anxiety.

The members during two days were "made miserable" by the alarming reports from Boston.[1] These reports grew out of the measures of General Gage in disarming the province. A party of soldiers, at night, removed a quantity of powder from Charlestown to Castle William, and in the morning thousands of the people gathered in Cambridge. The alarm spread, and reached Colonel Putnam in Connecticut, who stated in a letter addressed to Captain Cleavland that the British men-of-war and the troops were firing on Boston, and called on him to rally all the forces he could,

[1] Silas Deane wrote September 6: "An express arrived from New York confirming the account of the rupture at Boston. All is in confusion. I cannot say that all faces gather paleness, but they all gather indignation, and every tongue pronounces revenge. The bells toll muffled, and the people run, as in the case of an extremity, they know not where nor why." — Connecticut Historical Collection, ii. 174.

and march immediately to Massachusetts. The prompt response to this call by the militia showed a general and earnest determination to defend the cause. Soon after this alarm (September 14) an admirable series of resolves, passed by the people of the county of Middlesex in Massachusetts, were laid before congress. They elicited praise, but did not occasion action. Three days later (September 17) congress received the resolves of the county of Suffolk, which included Boston. They declared that the people owed an indispensable duty to God and their country to preserve those liberties for which the fathers fought and bled, expressed the determined opposition of the inhabitants to the Acts altering the charter, and promised cheerful submission to such measures as the continental congress might recommend. They were aglow with the soul of Joseph Warren, who drew them up; and they elicited a flow of generous sentiment and manly eloquence. Expressions of esteem, admiration, and affection for the people of Boston and of Massachusetts fell from the members. Congress, in resolves passed unanimously, expressing feeling for the sufferings "of their countrymen in the Massachusetts Bay," most thoroughly approved the fortitude and wisdom with which the opposition to ministerial measures had been conducted, and earnestly recommended a perseverance in the same firm and temperate conduct that was expressed in the resolutions of the county of Suffolk. They voted that contributions from all the colonies for alleviating the distress of their brethren of Boston ought to be continued "so long as their occasions might require." These resolves, together with the Suffolk resolves, were ordered to be printed.[1]

Nothing material of the doings of congress was published for three weeks. During this period the two committees

[1] The "Boston Evening Post" of Sept. 26, 1774, says: "By Mr. Paul Revere, who returned express from Philadelphia last Friday evening, we have the following important intelligence." The resolves were sent to Joseph Warren by the President of Congress — Peyton Randolph — and Thomas Cushing, the letters of which were printed.

already named were maturing a system of measures. The deliberations showed that the Tories had a champion in Joseph Galloway. His early speeches do not indicate divergence from the Whigs. He held that he stood on the ground of English liberties,—that the colonies ought of right to mould their "internal police," and that they ought to be represented in the body that levied taxes on them; and these were Whig fundamentals. Nor was he more ardent than the Whigs in professing allegiance to the crown, nor more earnest in desiring reconciliation and the preservation of the union between the colonies and Great Britain. But Galloway made the preservation of this union the paramount object, while the Whigs made the preservation of their rights and liberties paramount. Here was the gulf between them. Galloway distrusted republicanism, and in any event was opposed to independence: the popular leaders, imbued with the republican spirit, meant to preserve their rights, even with the sword if needful, though this might involve a separation.

On the 28th of September Galloway introduced a "plan for a proposed union between Great Britain and the colonies,"[1] prefaced with a resolve averring that the colonies "held in abhorrence the idea of being considered independent communities of the British government." This plan provided for a president-general to be appointed by the crown, and a grand council, consisting of representatives chosen every three years by the assemblies, to meet annually or oftener, its Acts to be subject to the revision of parliament, while it was to have the right in turn to veto Acts of parliament relative to the colonies; with the further provision that each colony should retain its present constitution and power of regulating "its internal police in all cases whatsoever." The scheme was intended to perpetuate the

[1] This plan was printed in pamphlet form in 1774, and was reprinted in his tract of 1780, entitled "Historical and Political Reflections on the Rise and Progress of the American Rebellion." His examination before the House of Commons in 1779 was printed in that year in London.

dependence of the colonies on England, and was proposed with the approbation of the loyalist Governors, Franklin of New Jersey, and Colden of New York. Galloway urged it in an elaborate speech, and it was supported by Duane, Jay, and Edward Rutledge. It was not only rejected, however, but the members came at last to view it with so much odium that the motions in relation to it were ordered to be expunged from the journals. This result was an end to the loyalist influence in congress. After Galloway came out openly on the British side, he wrote much about this plan, his own course, and the aims of the patriots. His shuffling and equivocation, his misrepresentations and ascription of mean motives to his political opponents, reveal a total want of that integrity of character which shines conspicuous in the men he defamed, and shows that he was unworthy of the popular confidence which he had enjoyed.

Soon after the defeat of this insidious plan, Paul Revere of Boston, who had been despatched as an express, arrived (October 6) in Philadelphia, in the midst of the discussion on the reports of the committees. He bore a letter from the Boston committee of correspondence relative to the course of General Gage, who was proceeding on the assumption that the time for reasoning had passed, and that force only could decide the controversy between the colonies and Great Britain. The letter contained details of the fortification of Boston; stated that it was fast becoming a garrison, and that its inhabitants might be held as hostages to compel submission to the law; and promised in their name, that, if congress should advise them to leave the town, they would obey. The letter also stated that the Governor, after summoning the legislature, dissolved it by proclamation before it could convene; and it asked the advice of congress for the future guidance of the people. In response, that body adopted a letter to be sent to Gage, reported by Lynch, Samuel Adams, and Pendleton. In this letter, congress, as "the representatives of His Majesty's faithful subjects in all the colonies

from Nova Scotia to Georgia," stated to the Governor that the approbation of the conduct of the people of Massachusetts was universal; that it was "the determined resolution of the colonies, for the preservation of their common rights, to unite in opposition" to the late Acts of parliament; and that the congress had been appointed the guardians of their rights and liberties. Pointing to the peaceable demeanor of the inhabitants, they requested him to discontinue the fortifications in and about Boston, and avoid the horrors of civil war. The terms and tone of this communication were as though the colonies formed one political power.

Congress now adopted five resolves in relation to Massachusetts. The first was agreed upon on the 8th of October, and was as follows: "That this congress approve of the opposition made by the inhabitants of Massachusetts Bay to the execution of the late Acts of parliament; and if the same shall be attempted to be carried into execution by force, in such case all America ought to support them in their opposition." The report of the debate on this important resolve is meagre. It was strongly opposed, and especially by Galloway and Duane; and when overruled, they asked permission to enter a protest against it on the journals, which was refused. On leaving congress, they exchanged memorandums, to the effect that they had objected to it on the ground of its treasonableness.

On the next day, Sunday, Washington wrote a letter in which he dwelt on the affairs of Massachusetts, expressing indignation at the violation of its rights, and sympathy for the peril of its inhabitants. He had spent much time with the delegates from this colony, and he remarked that it was not the wish of that government, or of any other on the continent, to set up for independence, yet that none would ever submit to the loss of rights and privileges essential to the happiness of every free state. "I am well satisfied," he wrote, "that no such thing [as independence] is desired by any thinking man in all North America; on the contrary,

that it is the ardent wish of the warmest advocates for liberty that peace and tranquillity, on constitutional grounds, may be restored, and the horrors of civil discord prevented."[1] This comprehensive and decisive statement is in harmony with the whole scope of private and public utterances of the popular leaders, — those on whom rested the responsibility of the political action.

Four additional resolves were passed by congress on the Monday and Tuesday (10th and 11th) following. They declared that all persons in Massachusetts who consented to take office under the new Acts ought to be considered wicked tools of the despotism that was preparing to destroy the rights which God, nature, and compact had given to America, and ought to be held in abhorrence by all good men. They advised the inhabitants of this colony to submit to a suspension of the administration of justice, when it could not be had under laws based on the charter; and recommended a peaceable demeanor towards the troops, and perseverance in the line of the defensive. The five resolves were ordered to be transmitted by the President to the Boston committee, as the advice of congress on the subject-matter of their letter.[2]

While these events were occurring, the two committees already named were proceeding with their deliberations. The notices of their debates indicate the patience required to surmount obstacles before a result could be reached.

[1] Washington, Oct. 9, 1774, to Capt. Robert Mackenzie, of the British army, in Boston. This remarkable letter is in Sparks's Writings of Washington, ii. 399.

[2] John Adams, Oct. 7, 1774, wrote as follows to William Tudor: "If it is a secret hope of many, as I suspect it is, that the congress will advise to offensive measures, they will be mistaken. I have had opportunities enough, both public and private, to learn with certainty the decisive sentiments of the delegates and others upon this point. They will not, at this session, vote to raise men or money, or arms or ammunition. Their opinions are fixed against hostilities and rupture, except they should become absolutely necessary; and this necessity they do not yet see. They dread the thoughts of an action, because it would make a wound which would never be healed; it would fix and establish a rancor which would descend to the latest generations; it would render all hopes of a reconciliation with Great Britain desperate; it would light up the flames of war, perhaps through the whole continent, which might rage for twenty years, and end in the subduction of America as likely as in her liberation."

The committee on trade and manufactures was the first to submit a report, which was (September 19) referred to the committee on the rights of the colonies, when Thomas Cushing, Patrick Henry, and Thomas Mifflin were added to this committee. In three days it reported. The discussion in the congress on this report was long. The business was simplified by a vote (September 24) to limit its action, "at present, to the consideration of such rights as had been infringed by Acts of parliament since 1763." On the 14th of October the members agreed upon a Declaration of Rights.

This paper claimed for Americans the immunities of free subjects within the realm of England, so far as circumstances would allow. It claimed that they had a coequal right to the British Constitution, — the constitution of their country, — and that they had "a free and exclusive power of legislation in their provincial legislatures, where their rights of representation could alone be preserved in all cases of taxation and internal polity," subject to the negative of the sovereign. It contained ten resolves, in which were enumerated the rights that could not be legally taken from them, or altered or abridged by any power whatever; and it specified eleven Acts or parts of Acts of parliament which were necessary to be repealed, in order to restore harmony between the colonies and Great Britain. A compromise resolution, framed with great care, disclaimed any purpose of refusing obedience to Acts "restrained to the regulation of the external commerce, for the purpose of securing the commercial advantages of the whole empire to the mother country." In this paper it was stated that the good people of twelve colonies had appointed deputies to sit in a general congress to obtain such an establishment as might prevent their religion, laws, and liberties from being subverted; and, as their English ancestors had done, they made their Declaration of Rights. After calmly averring that Americans could not submit to the Acts which had been specified as grievous, congress

conclude by stating that "for the present they had only resolved to pursue the following peaceable measures: "1. To enter into a non-importation, non-consumption, and non-exportation agreement or association; 2. To prepare an address to the people of Great Britain, and a memorial to the inhabitants of British America; 3. To prepare a loyal address to His Majesty."

With the exception of two of the articles, the Declaration was adopted unanimously. The phrase in some instances is similar to that in the Bill of Rights of William and Mary. It presents the colonies as a unit in the vital matters of representation, free discussion, free assemblies, and trial by jury, — in a word, self-government. It was hoped — faintly by some, strongly by others — that the basis laid down in this interesting paper might lead to an act of settlement, fixing the terms for a permanent union between America and England.[1]

Congress decided (September 27) on commercial non-intercourse with Great Britain as the means of restoring American rights, and (September 30) appointed a committee to bring in a plan for carrying this measure into effect, who reported on the 12th of October. The measure deeply affected great material interests; and the difficulties met and overcome were a foretaste of what was to be encountered in the formation of the more perfect union under the Constitution. At one stage of the proceedings — on the question of restricting rice — three of the South-Carolina delegation left the congress, but soon returned, their point having been conceded.

[1] The committee who reported the Declaration consisted of Sullivan and Folsom, of New Hampshire; the Adamses and Cushing, of Massachusetts; Hopkins and Ward, of Rhode Island; Dyer and Sherman, of Connecticut; Duane and Jay, of New York; Livingston and De Hart, of New Jersey; Galloway, Biddle, and Mifflin, of Pennsylvania; Rodney and McKean, of Delaware; Johnson and Goldsborough, of Maryland; Lee, Pendleton, and Henry, of Virginia; Lynch and J. Rutledge, of South Carolina Several members probably contributed to frame it. A copy exists in handwriting resembling that of Sullivan, whose name stands at the head. John Adams framed the article relative to the regulation of trade.

The Association was signed on the 20th of October by fifty-two members. Their covenant was in these words: "We do for ourselves, and the inhabitants of the several colonies whom we represent, firmly agree and associate under the sacred ties of virtue, honor, and love of our country." The instrument consisted of fourteen articles, forming rules for the government of the people in relation to the non-importation, non-exportation, and non-consumption of merchandise from Great Britain. One article provided that the parties to the Association would neither import nor purchase any slave imported after the first day of December, and would wholly discontinue the slave-trade, and refuse to deal with those concerned in it. Another stipulated not only for non-intercourse with the inhabitants of any colony that did not accede to or that might hereafter violate this Association, but for holding them "as unworthy the rights of freemen, and as inimical to the liberties of their country." Another article provides that "a committee be chosen in every county, city, and town, by those who are qualified to vote for the representatives in the legislature, whose business it shall be attentively to observe the conduct of all persons touching this Association;" and these committees were instructed to publish in the "Gazette" the names of violators of the Association, to the end that they might be "universally condemned as the enemies of American liberty." The committees of correspondence were charged to inspect the entries at the custom-houses. Thus the Association was virtually law, bearing on the individual; and a penalty was affixed to all violations of it.

The Association has been termed a compact formed for the preservation of American rights,—"a league of the continent, which first expressed the sovereign will of a free nation in America,"—and the commencement of the American Union.[1] It was an embodiment of the sentiment of

[1] "The signature of the Association by the members of congress may be considered as the commencement of the American Union." — Hildreth, iii. 46.

"Among all our original associates in the memorable league of the continent in

union, and of the will of the people on the subject of their commercial relations,—the first enactment, substantially, of a general law by America. For nearly two years the instrument was termed "The Association of the United Colonies."[1]

On the 11th of October, Richard Henry Lee, William Livingston, and John Jay were appointed a committee to prepare a memorial to the people of British America, and an address to the people of Great Britain.

The address, prepared by Jay, was reported on the 18th of October, when it was debated by paragraphs, amended, and recommitted, and three days later (October 21) was approved. The British people are addressed as "Friends and Fellow-Subjects." The object of the address was to show wherein this "unhappy country was not only oppressed, but abused and misrepresented," to present the American view of the relations between the people of the colonies and of England, and to show the necessity of a strict execution of the measures recommended by the congress, in order to secure "the invaluable rights and liberties derived from the laws and constitution of their country." The address has this remark: "You have been told that we are seditious, impatient of government, and desirous of independency. Be assured that these are not facts, but calumnies. Permit us to be as free as yourselves, and we shall ever esteem a union with you to be our greatest glory and greatest happiness;" and it closed by expressing the hope that evil counsels might be rejected, and thereby might be restored "that

1774, which first expressed the sovereign will of a free nation in America, he [Washington] was the only one remaining in the general government." — President John Adams, answer to the Senate, Dec. 22, 1799.

The articles of association, with the signatures, were printed on a broadside by Edes and Gill, of Boston, who say, "We are induced to publish thus early, purely to ease the impatience of our readers." It is in the Boston papers of Nov. 7, 1774.

[1] "June 7, 1775. Resolved, that Thursday, the 20th of July, be observed throughout the twelve united colonies." — Journals, i. 67.

Nov. 8, 1775. Congress instructed a committee to endeavor to engage "the inhabitants of the colony of Canada to accede to the Association of the United Colonies." — Ibid., i. 224.

harmony, friendship, and fraternal affection, between all the inhabitants of His Majesty's kingdoms and territories, so ardently wished for by every true and honest American."

The memorial to the people of the colonies, prepared by Richard Henry Lee, was reported on the 19th of October, and approved two days later (October 21). It was the object of this paper to show that the Declaration of Rights was based on the solid foundation of wisdom and justice; for, it was remarked, from counsels thus tempered arose the surest hopes of Divine favor, the firmest encouragement to the parties engaged, and the strongest recommendation of their cause to mankind. Congress faithfully advised their constituents that the aspect of ministerial schemes rendered it prudent that they should extend their views to mournful events, and be in all respects prepared for every contingency; and they say in closing, "Above all things we earnestly entreat you, with devotion of spirit, penitence of heart, and amendment of life, to humble yourselves, and implore the power of Almighty God; and we humbly beseech his Divine Goodness to take you into his gracious protection."

On the 21st of October, Thomas Cushing, Richard Henry Lee, and John Dickinson were appointed a committee to prepare an address to the people of Quebec, and a letter to the unrepresented colonies of St. John's, Nova Scotia, Georgia, and East and West Florida. The letter briefly commended to these colonies the measures agreed on, and urged their adoption "with all the earnestness that a well-directed zeal for American liberty can prompt." The address to Quebec, drawn up by Dickinson, was reported on the 24th, recommitted, and on the 26th again reported, when, after debate by paragraphs, it was adopted. It was quite elaborate, and handled the questions of civil and religious liberty with a masterly hand. Congress informed the people of Quebec that "the injuries of Boston had roused and associated every colony from Nova Scotia to Georgia," and that their "province

was the only link wanting to complete the bright and strong chain of union." In reference to the objection that might arise from joining Catholic and Protestant States, the congress remarked, "that the transcendent nature of freedom elevated those who unite in her defence above all such low-minded infirmities." Quebec was invited to send delegates to the next congress, and thus put its fate, "not on the small influence of their single province, but on the consolidated power of North America."

On the first day of October, Richard Henry Lee, John Adams, Thomas Johnson, Patrick Henry, and Mr. Rutledge were appointed a committee to prepare a loyal petition to the king, and were unanimously instructed to request, dutifully, his attention to American grievances, entreat his interposition for their removal, and thereby restore the harmony "so necessary to the happiness of the British Empire, and so ardently desired by all America." Two days after, the committee were further instructed to assure His Majesty that the colonies would make provision to carry on the government, and to grant supplies in case of war; and a third instruction the day following directed them to add the assurance, that, "in case the colonies should be restored to the state they were in at the close of the war," the jealousies created by late Acts of parliament would be removed, and commerce again restored. The committee did not report until the 21st of October. The draft, prepared by Henry, was not satisfactory; Dickinson was added to the committee, and the subject was recommitted. A second draft, by the latter, was reported on the 24th, debated the next day by paragraphs, amended, and ordered to be engrossed. The petition purports to be in behalf of "the inhabitants of these colonies," enumerates the grievances composing a "destructive system of colony administration," attributes it to dangerous and designing men, and avers that the sentiments expressed are "extorted from hearts that much more willingly would bleed in His Majesty's service." It claims

to be addressed to a sovereign who glories in the name of Briton, the loving father of a whole people, who, though dwelling in various countries, are connected by the same bonds of law, loyalty, faith, and blood; and it declared that this people did not wish for a diminution of the prerogative or solicit the grant of any new right, and would always endeavor to maintain their connection with Great Britain: but they claimed the right to enjoy in peace, safety, and liberty the inheritance left by the forefathers. Two copies of this petition were signed by all the members, and were ordered to be sent to the colonial agents in London.[1]

Congress passed a warm and grateful vote of thanks to the noble advocates of civil and religious liberty, in and out of parliament, who had generously defended the cause of America; fixed upon the 10th of May following for another congress, unless meantime there should be a redress of grievances; and invited all the colonies in North America to send deputies to it. It dissolved on the 26th of October.

Its measures were received by the two political parties into which the people were divided in a spirit corresponding to their principles and aims.

The Whigs welcomed them with joy and exultation. "Last week," runs a newspaper editorial, "the grand Continental Congress ended; they having, in a manner highly honorable to themselves and constituents, and serviceable to their country, finished the important business on which they were appointed, and met to deliberate and determine for a great and increasing nation. The world has hardly ever seen any assembly that had matters of greater consequence before them, that were chosen in a more honorable manner, were

[1] Henry Stevens, in his "Bibliotheca Historica," p. 87, 1870, states that he has one of these petitions, containing the signatures of fifty of the delegates, which was carefully preserved by Franklin. One copy was presented to the king, and is in the State Paper Office. No copy was retained by congress. In January, 1775, a pamphlet was printed in London, it is believed by Franklin, containing the proceedings of congress, the title-page of which says: "To which is added (being now first printed by authority) an authentic copy of the Petition to the King."

better qualified for the high trust reposed in them, executed it in a more faithful, judicious, and effectual manner, or were more free and unanimous in their conclusions, than this. Their proceedings are all drawn with a masterly hand; the expediency of every adopted measure is clearly pointed out; and the whole plan is so well calculated, so tempered with goodness and wisdom, with mildness and resolution, so guarded by prudence and supported by reason, that in all probability it can hardly fail of the desired effect."[1] Thanks to the congress re-echoed from the generous breasts of grateful thousands. Eighteen Hundred and Seventy-Four, it was said, would be a year of triumphant jubilee, when medals, pictures, fragments of writings, would revive the memory of these proceedings, and when, if any adventitious circumstances could give precedency, it would be to inherit the blood or even to possess the name of a member of the glorious assembly.[2]

'Illustrious Congress! May each name
Be crownèd with immortal fame!"

The Tories denounced the men and the measures of the congress in bitter and unmeasured terms. They characterized it as composed of the bankrupt and the rich, of churchmen and dissenters, of the knavish and the honest, chosen by the zealots of every district.[3] It was a treasonable purpose, projected by Eastern republicans. It was filled with factions. An oily demagogue, Samuel Adams, — who ate little and slept little, thought much and was indefatigable, — and the haughty sultans of the South, juggled the whole conclave. These persons, from the time of the Stamp Act, designed to throw off all dependence on Great Britain, and meant, by every fiction, falsehood, and fraud, to delude the

[1] This is taken from the "Boston Evening Post" of November 14, and was copied from a New-York newspaper.

[2] This is from a piece originally printed in the "South-Carolina Gazette," and copied into the "Essex Gazette" of Dec. 27, 1774.

[3] George Chalmers, in MS. Letter addressed to Lord Mansfield.

people. They were secret and hypocritical, and left no fraud unessayed to conceal their intentions.[1] The measures supported the allegation that the Whigs aimed at rebellion. The proof was absolutely positive in the approval of the Suffolk resolves, and in the pledge to support by force the inhabitants of Massachusetts in refusing obedience to the Regulating Acts. In pointing to these facts, they asked, "What think ye of the congress now?" and they reasoned, "It is barely possible that the stars in their courses may fight in favor of the colonies, that an earthquake may swallow up the king's army in Boston, and that every ship of war and every transport ordered from England to America may be blasted with lightning or overwhelmed in the ocean. But if there should be no miraculous interposition of Heaven to defeat the natural power of the mother country, should we go on to enrage it, it must at last fall upon us with an irresistible impetuosity."[2]

These citations will serve to show the flood of contemporary eulogy and denunciation poured out on this congress. Its action was remarkably faithful to the republican ideas universally accepted by the country. The concession of commercial monopoly to England and the non-importation policy have elicited adverse criticism. In considering these measures, however, the two cardinal objects of union among the colonies and reconciliation with the mother country ought to be borne in mind. The concession of the regulation of trade, entirely indefensible on principle, evinced at least a desire for conciliation. The same remark is applicable to the non-importation agreement. Moreover, it was a foregone conclusion. It was simultaneously suggested at the South and the North before the congress was called; it was recommended in public meetings and the newspapers; it was approved by the friends of the cause abroad as sure

[1] Galloway, in his Historical Reflections, 1780.

[2] "What Think Ye of the Congress Now?" A pamphlet printed in New York in 1775, by Rivington.

to succeed; and was the measure, of all others, for which the public mind was ready. This weapon, even weakly handled, had caused the partial repeal of the Townshend Acts; and by using it effectively the patriots hoped to obtain a change of administration and a redress of grievances. The warning by congress to prepare for mournful events shows that they considered a resort to force not impossible. Still their hope was strong that harmony might be restored; that the non-importation of British goods would create such an interest in favor of America as to cause a change. It is otherwise impossible to account for the non-importation agreement. Had war been deemed inevitable, had the aim been independence, every principle of sound policy would have demanded that importation should be encouraged, and the largest possible stock of supplies for an army obtained.[1] In fact, this was a self-denying ordinance. Every refusal of the American to import was at the cost of his personal comfort, every refusal to export was a waste of his resources for the support of his family.[2] It was a peaceable method of redress, and its adoption evinced the repugnance to war entertained by the wise and good men who gave character to this remarkable assembly. The measures, as a whole, fully met the expectations of the popular party. They comprised all that a noble patriotism could devise to persuade the men in power that war to enforce their purposes would be unjustifiable. This was all that human wisdom could do. Hence, when the passions of the time had passed away, the eulogy of the congress became so general as to warrant the remark that no public body ever gained so full and unanimous a recognition of its wisdom and integrity.[3] The modern judgment coincides with the contemporary eulogy.

The papers of this congress, explaining its measures and vindicating the American cause, have been uniformly praised

[1] Marshall's Life of Washington, i. 184.
[2] Bancroft, vii. 151.
[3] Ibid., vii. 190.

for their soundness, dignity, strength, and purity of style. They drew from Lord Chatham the tribute delivered in the House of Lords, in which he said: "When your lordships look at the papers, when you consider their decency, firmness, and wisdom, you cannot but respect their cause and wish to make it your own. For myself, I must declare and avow, that, in all my reading and observation, — and it has been my favorite study: I have read Thucydides, and have studied and admired the master states of the world, — that for solidity of reasoning, force of sagacity, and wisdom of conclusion, under such a complication of circumstances, no nation or body of men can stand in preference to the general congress at Philadelphia." Daniel Webster advised young men who desired to breathe in the spirit of their Revolutionary ancestors, who desired that every pulsation of their hearts and every aspiration of their ambition should be American, to master the contents of these immortal papers, and become imbued with their sentiments.[1] A British writer, in an elaborate survey of the nations, pronounces these papers "as just as any that were ever written by the pen of man."[2] This is their enduring quality, — their justice. They, in the spirit of American manhood, demanded the right, while calmly avowing the determination not to submit to wrong.

The action of the congress in relation to Massachusetts — its approval of the Suffolk resolves, its pledge to support the inhabitants, if they were obliged to resist by force the execution of the Regulating Act, its recommendation that contributions should be continued for the relief of the sufferers by the Port Act — was in harmony with the sentiments of the patriots in all quarters, as conveyed in every newspaper that came by the post to Philadelphia. The noble

[1] Address before the New-York Historical Society, p. 43.

[2] Essay on National Character, in two volumes, by Richard Chenevix, London, 1832, i. 354. At the close of a long chapter on "The causes that develop patriotism among the nations" (vol. ii. 527), Chenevix says: "Next to the English in this noble feeling stand their descendants in the United States of America. The sentiment which guided their Revolution was British. It was proud; it was virtuous."

flow of donations into Boston lasted ten months. They were raised in the municipalities, and forwarded by persons selected to speak in their name, generally committees chosen by the qualified voters; and during these ten months they were accompanied by letters from these committees, addressed to the patriots of Boston, more precious than the gifts themselves. These letters were answered by a committee, called the Donation Committee, chosen by the qualified voters of Boston. This correspondence is voluminous. A very few of the letters appeared at the time in the newspapers, most of them remaining for nearly a century in manuscript. They were consequently independent expressions of sentiment, one locality not knowing what another locality had written. A few sentences will show the temper and tone of the whole.[1]

The New-Hampshire patriots wrote: "We look on the cause in which you are engaged as a common cause, and that we and our posterity are equally interested with you in the event."[2] "We heartily sympathize with you, and earnestly pray that as your day is your strength may be; that you may be undaunted, faithful, and wise, and by your steady, undisguised conduct put to silence those who wait for your halting."[3] "What you herewith receive comes not from the opulent, but mostly from the industrious yeomanry. This is considered by us not as a gift or an act of charity, but of justice,—as a small part of what we are in duty bound to communicate to those truly noble and patriotic advocates

[1] Among the archives of the Massachusetts Historical Society are two Letter-Books, one containing copies of letters addressed to the committee appointed by the town of Boston to receive and distribute the donations contributed for the sufferers by the Port Act; and the other containing the replies to these letters. This correspondence was printed in the fourth volume of the Fourth Series of the Collections of this society, 1858, with notes prepared by the author of this volume. The correspondence occupies 278 pages. The citations in the text, with a few exceptions, are taken from this volume. A few of the letters were printed in the newspapers at the time, but nearly the whole remained in manuscript until their publication by the Massachusetts Historical Society.

[2] Collections Massachusetts Historical Society, 4th Series, iv. 76.

[3] Ibid, 200.

of American freedom who are bravely standing in the gap between us and slavery, defending the common interests of a whole continent, and gloriously struggling for the cause of liberty. Upon you the eyes of all America are fixed: we can with truth assure you we are engaged to a man in your defence. We are ready to communicate of our substance largely as your necessities may require; and with our estates to give our lives, and mingle our blood with yours in the common sacrifice to liberty. Since we have no asylum on earth to which we may fly, before we will submit to wear the chains of slavery a profligate and arbitrary ministry are preparing for us, we are determined upon an emigration through the gate of death, in hope of inheriting the fair land of promise, and participating with our forefathers in the glorious liberty of the sons of God."[1] The donation committee replied: "We cannot but look on it as from Divine influence that the hearts and hands of our brethren are so opened and so united in assisting this distressed town; and we hope and believe there are many thanksgivings going up to Him who is the author of all good to his creatures, and hope you will be rewarded in temporal and spiritual blessings."[2]

The Connecticut patriots wrote: "Our hearts are deeply impressed with the feelings of humanity towards our near and dear brethren of Boston."[3] "A claim to divest us of property, liberty, and life, set up and asserted many years ago, and now attempted by the grossest violation of royal faith in tearing up by the roots the ancient charter of your province, by all the evils of Pandora's box let loose in the new form of government imposed upon you, have roused our zeal, and determined us to unite with our brethren through the continent in a manly struggle for our liberties and rights, which must never be parted with. This [the contents of a bill of lading] we consider the first payment of a large debt we owe

[1] Collections Massachusetts Historical Society, 4th Series, iv. 146.

[2] Ibid., 202. Among the names of the signers of the letter for this colony were John Sullivan and Josiah Bartlett.

[3] Ibid., 50.

you, and we shall be ready to repeat it from time to time, as long as your necessity and our ability shall continue."[1] "We had a meeting of delegates from the committees of correspondence in the several towns in the counties of New London and Windham. The greatest harmony and unanimity of sentiment appeared in all our debates and proceedings. The cheek of every member glowed with resentment and martial fire. Most assuredly rely upon it that the people in all this part of the country are to a man resolutely determined to yield you all the assistance in our power, and are willing to sacrifice all that is dear and valuable to us rather than suffer the patriotic inhabitants of the town of Boston to be overwhelmed by the adversaries of American liberty."[2] "Our town meeting instructed our representative to raise an army in this colony of five or six thousand men immediately, and to be kept as an army of observation; and we had not one dissenting voice to the contrary."[3] "Oh! may Almighty God still rouse, and further unite the people of America, as one man, to a sense of their liberties, and [to resolve] never [to] give them up as long as sun, moon, and stars shall endure; and never submit to be slaves, but be willing to sacrifice life and all things to the defence and preservation of them."[4] The donation committee replied: "Your elegant and benevolent favor yielded us that support and consolation, amid our distresses, which the generous sympathy of assured friends can never fail to inspire.[5] There was a time when some good men among us were insensible of their danger, and seemed to prefer obscurity to action; but the late manœuvres of tyranny have roused them from their lethargy, and they now pant for the field in which their country is to be decided. Nothing has so dampened the spirits of those who aspire to be our masters as the accounts we are daily receiving of the glorious spirit that inspires the different parts of

[1] Collections Massachusetts Historical Society, 4th Series, iv. 115.
[2] Ibid., 73. [3] Ibid., 252. [4] Ibid., 151.
[5] Hollister's History of Connecticut, ii. 156.

the continent. Some have believed, or pretended to believe, that, if the faction in Boston were quelled, the provinces would acquiesce in whatever changes administration were pleased to make in the charter and constitution of the Massachusetts Bay. But now they see that a firm bond is formed in America, which the most powerful monarch on earth will not easily break. You will be pleased to accept our most hearty wishes for a continuance of your friendship; and gratitude and justice oblige us to tell you that the colony of Connecticut have behaved to us like brothers, and signalized themselves in the cause of American liberty in such a manner as will redound to their honor so long as the sun and moon endure."[1]

The Rhode-Island patriots wrote: "We sincerely condole the distresses of your town and province, and at the same time highly applaud your firmness and prudence. We look on your troubles as our own, and shall not fail to exert ourselves for your future support, in case you are not soon relieved; being fully convinced that at all events you must stand out against the present arbitrary and cruel proceedings, or all North America must inevitably fall a sacrifice to the most oppressive and brutal tyranny that ever disgraced the most savage nation upon the face of the earth."[2] "You may depend that all due care will be taken in this town to afford you that relief your circumstances may require and our abilities will afford, to enable you to hold out in so just a cause against the combination of all wicked and mischievous beings, from the highest source of evil down to Lord North."[3] The donation committee replied: "We trust our cause which indeed is a common cause and of the greatest importance to America, is a righteous cause, and that God will maintain it."[4] "The kindness and generosity that are raised in the breasts of our friends, not only in your town and colony,

[1] Massachusetts Historical Collections, 4th Series, iv. 59. Among the names of the signers were Israel Putnam and William Williams.

[2] Ibid., 158. [3] Ibid., 192. [4] Ibid., 193.

but in all the neighboring governments, surely can be imputed to none but the kind hand of Providence."[1]

The New-York patriots wrote: "We want language to express our abhorrence of this additional act [the Port Act] of tyranny to America: we clearly see that she is to be attacked and enslaved by distressing and subduing you."[2] The donation committee replied: "Assure our benefactors, the citizens of New York, of the warmest gratitude for such generous donations; while we acknowledge the superintendency of Divine Providence, we feel our obligations to sister colonies: by their liberality they have greatly chagrined the common enemies of America, who flattered themselves with hopes that before this day they should starve us into a compliance with the insolent demands of despotic power; but the people, relieved by your charitable donations, bear the indignity with becoming patience and fortitude."[3]

The New-Jersey patriots wrote: "Suffering in a glorious and common cause, sympathy and resentment, with peculiar energy, fill the breasts of your anxious countrymen. The King of kings and Ruler of princes seems in a remarkable manner to be inspiring these colonies with a spirit of union to confound the councils of your unrighteous oppressors, and with a spirit of humanity and benevolence towards an innocent and oppressed people."[4] "We rely under God upon the firmness and resolution of your people, and earnestly hope they will never think of receding from the glorious ground they stand upon, while the blood of freedom runs in their veins, and while a supply can be found from the other parts of America for their needy inhabitants."[5] The donation committee replied: "As we are not insensible of the noble exertions and generous donations of our brethren of the Jerseys and throughout the colonies, we patiently bear the burdens Providence has been pleased first to lay on us, not

[1] Massachusetts Historical Collections, 4th Series, iv. 159. [2] Ibid., 162.
[3] Ibid., 165. John Jay was connected with this action.
[4] Ibid., 20. [5] Ibid., 110.

doubting but that all America will with one heart oppose every unconstitutional Act of parliament that shall any way infringe on our charters and the rights which, as men, God and Nature have given us."[1]

The patriots of Pennsylvania wrote: "Tenderly feeling for the inexpressibly distressed situation of your town, we wish you a happy and speedy issue from the exertions of tyranny to the full enjoyment of peace, liberty, and security."[2] The Boston committee replied: "Through God's goodness, the hearts of our brethren have been opened for our relief. They have enabled us to bear up under oppression, to the astonishment of our enemies; and we trust we shall be enabled still to remain firm, and never desert the glorious cause of our country."[3]

The patriots of Delaware wrote: "You may be assured that it is from a people who sincerely sympathize with you in your distresses and are anxious for your relief";[4] and they resolved that it was "the indispensable duty of all the colonies to join for a removal of grievances, and for re-establishing the rights of all America on a solid and permanent foundation."[5] The donation committee replied: "It seems somewhat difficult for us to determine whether the oppression and cruelty of the Boston Port Bill, or the Christian sympathy and liberality of our dear friends and countrymen (particularly in New Castle), is most affecting. You have greatly refreshed our spirits, and strengthened our hands; and we hope we shall not do any thing that shall incur a forfeiture of the love, confidence, and affection of our brethren in New Castle and elsewhere."[6]

The patriots of Maryland wrote: "Could we remain a moment indifferent to your sufferings, the result of your noble and virtuous struggles in defence of American liberties,

[1] Massachusetts Historical Collections, 4th Series, iv. 111.
[2] Ibid., 150. [3] Ibid., 157. [4] Ibid., 232. [5] Ibid., 32.
[6] Ibid., 34. Cæsar Rodney, Thomas McKean, and George Read are among the signers of the letters from Delaware.

we should unworthily share in those blessings which (under God) we owe in great measure to your perseverance and zeal in support of our common rights, that they have not ere now been wrested from us by the rapacious hand of power."[1] "That Heaven may grant you perseverance, and endow you with a prudent and becoming fortitude, upon this unhappy, alarming, and very interesting contest between Britain and her colonies, is the ardent hope and desire of, gentlemen, your sympathizing friends and fellow-subjects."[2] The donation committee replied: "Nothing gives us a more animating confidence in the happy event of our present struggle for the liberties of America, or offers us greater support under the distress we now feel, than the assurances we receive from our brethren of their readiness to join with us in every salutary measure for preserving the rights of the colonies, and of their tender sympathy for us under our sufferings."[3]

The Virginia patriots wrote: "We wish you perseverance, moderation, firmness, and success in this grand contest, which we view as our own in every respect. Contributions for your relief are raising throughout this dominion, and will, we hope, be looked upon as a small proof how much the good people of this colony are attached to the cause of Boston and American liberty."[4] "The universal opinion entertained here of the real wisdom and firmness with which your unjustly oppressed town has defended the common rights of British America, as well as its own, cannot fail to continue it the assistance and support of this place; and we doubt not but the same just sense of the sufferings, wisdom, and spirit of Boston will secure it the united friendship and support of all North America."[5] "We assure you that the Virginians are warmly disposed to assist their suffering

[1] Life and Times of Warren, 318.

[2] Massachusetts Historical Collections, 4th Series, iv. 79.

[3] Life and Times of Warren, 318. Charles Carroll, William Paca, and Thomas Chase were on the committee in Maryland.

[4] Massachusetts Historical Society Collections, 4th Series, iv. 160.

[5] Ibid., 238.

brethren, and hope for their steady and prudent perseverance in the common cause of our country."[1] "In that tract of Virginia called the Northern Neck, they have lately raised one thousand volunteers, as fine fellows and as good woodsmen as any on our continent, who have put themselves under the command of Colonel George Washington, a brave and experienced officer, who, it is said, has undertaken the command of them, and they are soon to march for your place."[2] The donation committee replied: "Accept our grateful acknowledgments for the very generous assistance for the inhabitants of Boston."[3] "We have repeatedly had abundant evidence of the firmness of our brethren of Virginia in the American cause, and have reason to confide in them, that they will struggle hard for the prize now contending for."[4] "Encouraged by these liberal donations, the inhabitants endure their sufferings with patience. As men, they feel the indignities offered to them; as citizens, they suppress their just resentment: but I trust in God that this much injured colony, when urged to it by extreme necessity, will exert itself at the utmost hazard in the defence of our common rights; while they deprecate that necessity, they are active in preparing for it."[5] "Virginia made an early stand, by their ever memorable resolves of 1765, against the efforts of a corrupt administration to enslave America, and has ever distinguished herself by her exertions in support of our common rights. The sister colonies struggled separately; but the minister himself has at length united them, and they have lately uttered language that will be heard. It is the fate of this town to drink deep of the cup of ministerial vengeance; but while America bears them witness that they suffer in her cause, they glory in their suffering."[6]

The patriots of North Carolina wrote: "A patriotic spirit

[1] Massachusetts Historical Collections, 4th Series, iv. 83. [2] Ibid., 187.
[3] Ibid., 183. [4] Ibid., 188. [5] Ibid., 211.
[6] Ibid., 185. Among the signers to the letters from Virginia were Archibald Carey and John Augustine Washington. The last reply cited was signed by Samuel Adams.

possesses every bosom, which all ranks of persons seem emulous to express by actions as well as by words. There is apparent in almost every individual a proper sense of the injury done to the colonies in the tendency of those oppressive Acts of parliament, and a determined spirit of opposition and resentment worthy of a human bosom in the great cause of liberty. The enclosed resolves speak the sentiments of the inhabitants of Cape Fear, and, we are well assured, of this province in general."[1] "They have hopes, that, when the united determinations of the congress reach the royal ear, they will have redress from the cruel, unjust, and oppressive Acts of the British parliament."[2] The Boston committee replied: "We thank you for the resolves of your provincial meeting of deputies. We esteem them as manly, spirited, and noble, — worthy of our patriotic brethren of North Carolina. God grant that our endeavors to restore and preserve the rights of our dear America may be attended with his favor and blessing!"[3]

The patriots of South Carolina said: "Be comforted, ye oppressed Bostonians! and exult, ye Northern votaries of liberty! that the sacred rays of freedom, which used to beam from you on us, are now reverberated with double efficacy back upon yourselves, from your weaker sister, Carolina, who stands foremost in her resolution to sacrifice her all in your defence."[4]

The patriots of Georgia wrote: "Many among us sincerely espouse the great cause contended for by you, and ardently wish that the noble stand you have made in defence of those rights to which as men and as British subjects we are entitled may be crowned with success. The manly conduct of the brave people of Boston and of Massachusetts Bay, to preserve their liberty, deserves not only the applause and thanks of all America, but also the imitation of all mankind."[5]

[1] Massachusetts Historical Society Collections, 4th Series, iv. 23.
[2] Ibid., 85. [3] Ibid., 88. [4] Ibid., 179. [5] Ibid, 274.

This record forms a rare chapter of genuine history, and was written when the people who were making this history were inspired by the consciousness of being engaged in defending a just cause. A high authority remarks, that "never did a more sincere and perfect conviction that every principle of right was arranged with them animate the human bosom, than was now felt by the great body of American;"[1] and another, that "the animation of the times raised the actors in these scenes above themselves, and excited them to deeds of self-denial which the interested prudence of calmer seasons can scarcely credit."[2] They were uniting in the bonds of law, and the record is as a window admitting a view of their inner life,— revealing their thought, their hope, their faith, their passion, their love; showing how they felt as countrymen, and what they regarded as their country. Nothing could be more generous than the expressions of admiration, or more tender than the offerings of sympathy, or more free from calculation than the enthusiasm for principle, or more solemn than the pledge of fortune and life, or more reverent than the trust in Providence. The noble record portrays the brotherhood that constituted the real union of the colonies. It admits posterity into the heart of the Revolution. It is a Christian prologue grandly spoken on the entrance of the United Colonies into the family of nations.

The public eye was now more than ever fixed on Massachusetts. A community of nearly four hundred thousand persons, by the nullification of the Acts altering its government, were without courts of law, or other than municipal authority. The pressure became strong to proceed as an independent people and form a new government. The great majority, however, wisely determined to act in accordance with the advice of the general congress. This body counselled the inhabitants to keep on the defensive, to resist

[1] Marshall's Life of Washington, ii. 184.

[2] Ramsay's History of the American Revolution, i. 146.

with arms only when arms should be used to execute the new Acts. They stopped in civil affairs where this advice, enforced by letters in the same tone, implied that they ought to stop. Immediately on receiving the resolve of congress of the 8th of October, pledging the continent to support the people of Massachusetts in such resistance, they commenced the preparation of arming, in the conviction that resistance "was the Christian and social duty of each individual."

Governor Gage issued a precept for the choice of representatives to the General Court, and the towns elected them; but before the time for their meeting the Governor prorogued them. They met, however, at Salem, where they were summoned to meet, and resolved themselves into a provincial congress, chose John Hancock President, and Benjamin Lincoln Secretary, and then adjourned to Concord. The decisive business of this body may be said to have commenced with the creation (October 27) of "The Committee of Safety." On the next day this committee were directed "to take care of and lodge in some safe place in the country warlike stores." The congress dissolved on the 10th of December. A second congress, chosen by those who elected the representatives, met at Cambridge on the 1st of February; and this body was in existence until the spring. These congresses chose a committee of supplies, provided for the organization of the militia, one quarter of whom were to meet at a moment's warning, and appointed general officers to command the militia. The committee of safety were empowered to summon this force to the field whenever General Gage should attempt to execute the Regulating Acts. This committee, on which were Hancock, Warren, and Samuel Adams, was virtually a directory appointed to see to the defence of the Commonwealth.

Such was the local public authority recognized in this crisis. In obedience to its call, the towns, during the autumn and winter of 1774 and 1775, were fairly alive with military

preparations. In many of them the minute-men signed an agreement pledging themselves to take the field at a minute's warning. On the days of drill the citizen soldiers sometimes went from the parade-ground to the church, where they listened to exhortation and prayer. The scene engrossed all minds, moved all hearts; ordinary business gave way to the demands of the hour. The newspapers are laden with political articles relating to the issue. One of the ablest of the Tory party, Daniel Leonard, defended that side of the question, under the signature of "Massachusettensis," and was answered by John Adams, under the signature of "Novanglus;" and these uncommonly able productions present accurate views of the argument as the Revolution reached the stage of physical force. In some instances the cause was dishonored by personal violence, but in the main was kept remarkably true to social order. "You," say the provincial congress, "are placed by Providence in the post of honor, because it is the post of danger. And while struggling for the noblest objects, — the liberties of your country, the happiness of posterity, and the rights of human nature, — the eyes not only of North America and the whole British Empire, but of all Europe, are upon you. Let us be, therefore, altogether solicitous that no disorderly behavior, nothing unbecoming our characters as Americans, as citizens and Christians, be justly chargeable to us."[1]

It was said, during the session of the general congress, that there was a wide difference in spirit between New England and the other colonies.[2] The letters, however,

[1] The Address of the Provincial Congress, Dec. 10, 1774, to the Freeholders and other Inhabitants of Massachusetts, in the newspapers.

[2] The "Massachusetts Gazette" of Oct. 24, 1774, has an elaborate paper, "From the 'New-York Gazette' of October 10, to the Inhabitants of North America," signed "A New-York Freeholder," which has the following: —

"There is a wide difference between the state of New England and that of the other colonies: the same spirit by no means seems to actuate their conduct. In the colonies south of New England, there is no training up to military discipline, nor mustering forces with the avowed design to resist the king's troops; there is no attempt by the populace to buy up arms or ammunition; no violence or persecution is offered to officers of government, or to such as do not choose to join in popular tumults; few or

flowing into Boston manifested that one feeling animated them all, — that they were substantially members of one body, and that with the one that was suffering all suffered. The warning of the congress to be prepared for mournful events, the increase from time to time of the army under General Gage, and the determination to coerce Massachusetts into subjection to arbitrary power, produced a profound impression; and the colonies south of New England began to arm. It was announced in the public prints that Virginia was organizing her militia. Washington was now prompt to volunteer as a soldier. His name went through the country as the chairman of the meeting held in his county (Feb. 2, 1775) to enroll the militia and levy a tax to pay for their service.[1] Maryland and Pennsylvania also were preparing for self-defence. Indeed, there was in the ranks of the popular party the same determination. The scene was delineated by General Charles Lee, then recently from England. "I have now run through the whole of the colonies from North to South. I have conversed with every order of men, from the first-estated gentleman to the poorest planters, and cannot express my astonishment at the unanimous, ardent spirit reigning through the whole. They are determined to sacrifice every thing — their property, their wives, children, and blood — rather than cede a tittle of what they conceive to be their rights. The tyranny over

no pulpits resound or are in a foam with politics. You may travel from the southern limit of Connecticut, as far as Florida, without meeting with any of these untoward symptoms, which are certainly to be found in New England. The other colonies proceed no further than to assert with proper firmness and spirit what they conceive to be their rights."

[1] The "Essex Gazette" of March 7, 1775, has the resolves of the county of Fairfax, Va., "Col. George Washington" in the chair, voting a tax for the purchase of arms, &c., and the enrolment of the inhabitants from sixteen to sixty years of age, and the practice of the military exercise, "as recommended by the provincial congress of the Massachusetts Bay on the 29th of October last."

The officers of the Virginia Independent Companies, in April, 1775, countersigned a spirited declaration of a pledge to maintain and defend "the law, the liberty, and rights of this or any sister colony," with the motto, "God save the liberties of America." — Rives's Life of Madison, i. 92.

Boston, indeed, seems to be resented by the other colonies in a greater degree than by the Bostonians themselves."

In the midst of these scenes the popular party ratified the Association, provided the machinery for its execution, and gave it the force of law. In some cases, as in Connecticut, the general assembly was the first to approve of the proceedings of congress, and directed the towns to observe its recommendations. In other cases, as in Virginia, the freeholders met in the counties, voted that the Association should be their sole rule of conduct, pledged themselves, "by the sacred ties of honor, virtue, and love of country," to execute it, and thanked the delegates for their faithfulness, — thus acting directly under the advice of congress. All but two of the colonies ratified the Association: New York, in whose assembly a motion of approval was voted down; and Georgia, in which the patriots were not strong enough to carry it in the commons. The approval by the municipalities, in meetings of the qualified voters, called in the usual form, was very general. One meeting voted that it expected to see every city, town, and county accept the Association; another expressed satisfaction that every town, city, and county throughout America had accepted it, — and this included the municipalities in Georgia and New York. But the partial ratification of these two colonies was not allowed to pass in silence. The general committee of South Carolina formally presented Georgia as inimical to the liberty of America; and when its patriots pleaded that St. John's Parish and others had accepted the Association, the general committee would only refer the matter to the congress. The Virginia convention instructed its committee of correspondence to ascertain authentically whether the New-York assembly "had deserted the union," and report at the next convention. The Tories prepared a counter Association, designed to defeat the Association of the general congress; but the project was soon abandoned. The spirit exhibited in the municipalities was the same, whether

they had grown up under charter, proprietary, or royal forms of government, and whether the individual or denominational sympathies were Congregational, Presbyterian, Episcopalian, or Quaker: underlying all were Christian brotherhood, sympathy in fundamental political ideas, and enthusiasm for the rights of human nature. These sentiments could not be bound by provincial lines. They expressed the yearning for American unity, — and this for the sake of principles as wide in their application as the common humanity.[1]

[1] In New Hampshire, a convention of a hundred and forty-four deputies from the towns met at Exeter, January 25, 1775, and heartily approved of "the proceedings of the late grand continental congress." In a spirited address they recommended the inhabitants "strictly to adhere to the Association."

In Massachusetts, the provincial congress, December 5, in an elaborate resolve, approved the proceedings of the general congress, on the report of a committee, ordered to be attested by the secretary and sent to all the towns and districts. The report and resolve are in the "Massachusetts Gazette," December 16. In some of the counties the inhabitants signed a covenant to execute the Association.

In Connecticut, the delegates reported to the assembly the proceedings of the congress, which were unanimously approved. The assembly sent orders to the towns for the strict execution of the Association. — Massachusetts Gazette, November 14. Hollister (ii. 159) says nearly all the towns complied with the order.

In Rhode Island, a special meeting of the assembly was called to receive the report of the delegates. The proceedings of congress were approved December 8. The vote is in the "Massachusetts Gazette," December 22.

In New Jersey, Elizabeth Town, December 1, and Newark, December 7, unanimously approved the Association; Woodbridge, January 7, 1775, instructed its committee on the subject "in every respect [to] follow the directions of the Association as much as if it was a law of this province;" Middlesex County, January 16, pledged itself to enforce it "by the ties of virtue, honor, and the love of our country." On the 24th of February the delegates from this colony to the congress laid before the assembly the proceedings of that body, when the house unanimously voted to approve of them, "such as are of the people called Quakers excepting only to such parts as may have a tendency to force."

In Pennsylvania, the assembly, December 10, approved the proceedings, and most seriously recommended the good people to observe them inviolate. (Force's Archives, i. 1023.) The City and Liberties, November 7, had chosen by ballot an inspection committee, who in a letter say they met with no impediments in executing the decrees of congress. (Force, i. 1243.) Reading chose its committee December 5; Chester County, December 20. A convention of delegates, among them Dickinson, Read, Wilson, Clymer, and Mifflin, met January 23, 1775, in Philadelphia, "most heartily approved of the measures of congress, and resolved to faithfully endeavor to carry into execution the Association; if this did not effect a redress of grievances, but, instead, if force should be used to effect submission, then to resist such force, and at every hazard to defend the rights and liberties of America." — Pennsylvania Evening Post, Jan. 31, 1775.

In Delaware, the counties first (New Castle, December 5), and then, March 15,

The simple narrative of the progress of events shows how a noble spirit spread from breast to breast, and from colony to colony, beyond the power of human calculation. The

1775, the assembly, voted to approve "of the proceedings of the late congress." The votes are in the "Pennsylvania Evening Post" of March 21, 1775.

In Maryland, a provincial meeting of deputies from the several counties met at Annapolis, November 21, unanimously approved the proceedings, and voted that every person ought inviolably to adhere to the Association. The counties had begun to choose committees (Anne Arundel, November 9; Baltimore, November 12; Calvert, November 16; Frederick, November 18) "to carry into execution the Association agreed on by the American Continental Congress." A convention representing all the counties met by adjournment, December 8, and in addition pledged Maryland to support Massachusetts in resisting by force. See on this a letter of John Adams, Jan. 3, 1775 (Works, ix. 353).

In Virginia, the freeholders began in November to meet in their several counties, agreeing to stand by the Association, and appointing committees to carry it out; and these meetings continued through the winter. Northampton County, after choosing "a committee to see the Association faithfully executed," as "directed by the late continental congress," voted that it "should be considered as the sole rule of the committee's conduct," &c. The freeholders of James City met November 25, when the Association was read and cordially acceded to, and the meeting bound themselves "by the sacred ties of virtue" inviolably to keep the same, chose a committee to secure a due observance of it, and voted that the resolutions of the general congress "ought to be considered by the committee and the whole country as the sole rule of their conduct in all matters respecting their present political engagements." The address of Fincastle County, January 20, to the Virginia delegates, is a noble production, vowing allegiance to the lawful sovereign, but faithful "to the liberty with which God, nature, and the rights of humanity had vested them." On the 20th of March, "a convention of delegates for the counties and corporations" of the colony was held at Richmond, when one hundred and eighteen members were present, comprising nearly all the popular leaders of the colony, by whom it was voted unanimously "that this convention doth entirely and cordially approve of the proceedings of the American Continental Congress." The proceedings were widely circulated in the newspapers.

North Carolina, in a provincial convention of August, 1774, agreed, in advance, to abide by the decisions of the General Congress and to cut off dealings with all towns or individuals who refused or neglected to do this. Its assembly, April 7, 1775, adopted a resolve highly approving of the proceedings of the Continental Congress, pledging adherence to its resolutions and efforts to have every individual in the colony observe them. For this act Governor Martin, April 8, dissolved the assembly. A provincial convention of delegates had been convened at the same time and place. Colonel Casewell presented a copy of the Association of October 20, which was read, when the convention passed a resolve (April 5) "highly approving of it, and recommended their constituents to adhere firmly to the same." Then all the members but one subscribed their names to this resolve. The proceedings of both bodies are in Force's Archives, 4th Series, ii. 266.

In South Carolina, a provincial congress, consisting of "deputies from every parish and district" in the colony, with Charles Pinckney as the president, assembled on the 7th of January, and voted "that this congress do approve the American

time having come for the people to pass from the control of the mother country, the Governor of the Universe, by a secret influence on their minds, disposed them to union,[1] and to give to this union the strength of law. Hence the Twelve United Colonies. Hence, while the old forms of government remained, the Association virtually constituted a new and independent authority,[2]—a government through congresses and committees. Hence the manifestation, in the pledge to support Massachusetts, of a readiness to use the united strength for the common defence. Hence the stern determination that the recommendations of the general congress

Association," and that committees should be appointed in each parish to carry it out. A letter dated Charleston, March 1, says: "In this colony the Association takes place as effectually as law itself." The "Boston Gazette" of March 27 has the proceedings of "the General Committee," declaring non-intercourse with Georgia, and pronouncing its people inimical to the liberties of their country, because it had not acceded to "the continental Association." The proceedings were sent to the Northern colonies.

The patriots of Georgia had a hard struggle. The provincial congress assembled at Savannah on the 18th of March, and forty-five of the deputies entered into an association in behalf of the American cause; but the colony, as a unit, did not adopt the continental Association until a later period.

In New York, though the assembly refused to approve the proceedings of congress, yet the committee of correspondence (November 7) and many of the counties chose inspection committees. The committee of correspondence of Jamaica, L.I., in a letter addressed to the New-York delegates, expressed the hope that the measures of congress might be adopted "by every city, town, and county in the British colonies."

The "Edinburgh Advertiser" of October 11, 1774, says:—

"Private letters inform us that the late measures of government towards the Massachusetts province have united all America beyond what could have been imagined; and it is thought that whatever measures are recommended by the congress, they will be almost unanimously pursued in such a manner as will surprise the world, reflect lasting honor on America, and prove that its inhabitants are worthy of their claim of being descended from British ancestors."

The "Pennsylvania Evening Post" of January 24, 1775, has the following:—

"All the provincial assemblies that have met since the Continental Congress have fully approved and adopted the measures agreed upon and recommended by that august body, and have taken all proper measures to carry the whole into full execution. . . . Where the assemblies have not yet met, they are all with vigor and unanimity exerting themselves in the same important and glorious cause, so that *it is* thought there never was framed a set of human laws that were more strictly and religiously observed than these will be."

[1] Ramsay's History of American Revolution, i. 145. [2] Ibid., 144.

should have the force of laws. This result was profounder than any ever attained by the States of Greece. The Amphictyons, often called to view in those times in the public prints, never reached the dignity of a federal council habitually directing and habitually obeyed. "Had there existed," Grote forcibly remarks, "any such *commune concilium* of tolerable wisdom and patriotism, and had the tendencies of the Hellenic mind been capable of adapting themselves to it, the whole course of later Grecian history would probably have been altered; the Macedonian kings would have remained only as respectable neighbors, borrowing civilization from Greece, and expending their military energies upon Thracians and Illyrians, while united Hellas might even have maintained her own territory against the conquering legions of Rome."[1] The Americans, through the modern instrumentality of representation, inaugurated a general council; and they now began to look to it as their guide, and to consider it a necessity that its decisions concerning the common welfare should be respected as laws. It is scarcely possible to overrate the importance of this result. It is safe to say that it influenced the whole future course of American history.

Indeed, union had not only passed from sentiment into law, but had become a power. The Loyalists could not see this. The chain that appeared to the Whigs bright and golden, appeared to the Tories but a rope of sand. Their type may be studied in Galloway, their keenest champion. He could see only the old diversity ruling as the law of society, and held that it was impossible for the colonies to unite "either to avoid any general mischief or to promote any general good." Having probably in mind the common language of the public prints, most likely the every-day talk, as to the vital need of an American Constitution, he said in congress: "I know of no American Constitution: a

[1] Grote's History of Greece, ii. 35.

Virginia Constitution we have, a Pennsylvania Constitution we have; we are totally independent of each other."[1] Patrick Henry was a type of the American who stood on the top of the mountain, and whose vision was illumined by the glory of a common country. When the old diversity was adjusting itself to the new union, he exclaimed in congress: "The distinctions between Virginians, Pennsylvanians, New-Yorkers, and New-Englanders are no more. I am not a Virginian, but an American."[2] Glorious man! His instincts were ever true to his country, if his judgment — as in opposing the adoption of the Federal Constitution — was sometimes wrong. It is but just to add, that no one of the great men of those times was more opposed to the fatal unity that runs into centralization.

The popular leaders estimated justly the importance of the Union, and of the stand which the Union had taken. Samuel Adams wished the ministers would consider the very momentous truth, that a regular attempt to subdue a colony "would open a quarrel which would never be closed until that what [independence] some of them affect to apprehend, and we sincerely deprecate, would take effect."[3] Richard Stockton, who signed the Declaration, wrote: "There is not the least doubt that, if the British government should attempt to carry its Acts into execution by force, but that the associated colonies would repel force by force."[4] John Dickinson wrote: "The first act of violence on the part of the administration in America will put its whole continent in arms from Nova Scotia to Georgia." Josiah Quincy, Jr., in London,

[1] John Adams's Works, ii. 390.

[2] John Adams's Works, ii. 367. Mr. Innis, in the Virginia convention of 1787, remarked of the feeling in 1775: "It was not a Virginian, Carolinian, or Pennsylvanian, but the glorious name of an American that extended from one end of the continent to the other that was then beloved and confided in." — Elliot's Debates, iii. 633, ed. 1866.

[3] Letter to Arthur Lee, Feb. 14, 1775. A part of this letter is in Wells's "Life of Adams," ii. 274.

[4] An Expedient for the Settlement of American Disputes, Dec. 12, 1774. Historical Magazine, November, 1868, p. 228.

wrote: "I look to my countrymen with the feelings of one who verily believes they must yet seal their faith and constancy to their liberties with blood."

The prophecies of the future of America by Herbert, Cowley, and Berkeley, cited in this narrative, were circulated in the newspapers: which contained one by the Earl of Orrery, — the old thought that "the ball of empire might roll westward and stop in America; a world unknown when Rome was in its meridian splendor, — a world that might save the tears of some future Alexander."[1] An American also cast the horoscope: "All power of government is derived from God through the instrumentality of kings or the people. Has the impartial Governor of the Universe communicated his attributes of power, wisdom, justice, and mercy to kings only, and denied the least portion of them to every other class of mankind? . . . The American congress derives all its power, wisdom, and justice, not from scrawls of parchment signed by kings, but from the people. A more august and equitable legislative body never existed in any quarter of the globe. It is founded on the principles of the most perfect liberty. A freeman, in honoring and obeying the congress, honors and obeys himself. . . . The least deviation from the resolves of the congress will be treason. It will be treason against the present inhabitants of the colonies, against the millions of unborn generations who are to exist hereafter in America, against the only liberty and happiness which remain to mankind. . . . We are now laying the foundation of an American constitution. Let us therefore hold up every thing we do to the eye of posterity. They will probably measure their liberties and happiness by the most careless of our footsteps. Let no unhallowed hand touch the precious seed of liberty. . . . Wise and good men in Britain have lifted up the curtain of futurity in America. Let us not be afraid to look through it. Ye intuitive spirits who see through the connection of cause and effect, ye holy

[1] Essex Gazette, March 1, 1774.

spirits who have been accustomed to trace the operations of Divine Providence, ye decisive spirits who resolve and execute at once, — ye know what I mean. '*In æternitatem pingo*,' said a poet. Let us neither think, write, speak, nor act, without keeping our eyes fixed upon the period which shall dissolve our connection with Great Britain. The deliverance of the present ministry may precipitate it, but the ordinary course of human things must accomplish it. Britain may relax from her present arbitrary measures; but political necessity, not justice, must hereafter be the measure of her actions. Freemen cannot bear a middle state between freedom and slavery. It is essential to the happiness of liberty that it should be secure and perpetual."[1]

[1] Essex Gazette, Dec. 20, 1774. A piece entitled Political Observations, without order, addressed to the people of America, copied from the "Pennsylvania Packet." John Adams, in a letter to a member of congress in Philadelphia, dated Dec. 12, 1774 (Works, ix. 349), comments on this piece. The "Massachusetts Gazette" of Jan. 28, 1773, has the following prediction, copied from a London paper: —

"The celebrated Choiseul, late prime minister of France, being a few weeks ago asked why he ceded so amazing a tract of country as all Canada to Great Britain by the last peace, replied: 'I ceded it on purpose to destroy the English nation. They were fond of American dominion, and I resolved they should have enough; for I have given them not only a constant drain for their most valuable inhabitants, but a formidable rival, which in less than a century will find full employment for the councils of that turbulent people.' Choiseul's words are already prophetic. Our own ministers begin to discover that America is a very problematic benefit to England, and Lord Hillsborough actually resigned because we were opening on the Ohio fresh graves for the inhabitants of the kingdom."

CHAPTER X.

WHEN THE POPULAR LEADERS RECOGNIZED THE FACT OF REVOLUTION AND BEGAN TO AIM AT INDEPENDENCE, AND HOW THEY MET THE QUESTION OF SOVEREIGNTY.

1775. — JANUARY TO NOVEMBER.

As the United Colonies were organizing to support Massachusetts in resisting the acts altering its charter, the administration was preparing to carry them into effect, when a detachment of the king's troops, sent out from Boston into the country to destroy a collection of military stores, fired on the provincial militia at Lexington and Concord, killing some and wounding others. This occurrence brought on hostilities, changing the situation from commercial war to armed resistance; whereupon the king, by proclamation, declared divers subjects in the colonies in a state of rebellion. The popular leaders then recognized the fact of revolution, resolved to aim at independence, and began to deal with the question of sovereignty by advising the colonies to abrogate authority under the crown, and form local governments.

The United Colonies contained a population, according to the estimate of Congress, of three millions; other estimates placed it lower.[1] Pioneers had penetrated the forests west of the Alleghanies, and begun settlements that grew into great States; but the body of the people lived on the belt of land stretching from the Atlantic coast to the Gulf of Mexico. The relative increase in twenty years, or since 1754, was as

[1] The estimates of the population of the colonies in 1774 differ widely. One estimate is 2,141,307; another, 2,590,000; another, 2,810,000; that of Congress,

follows: New England had risen from 436,000 to 690,000; the Middle Colonies from 528,000 to 870,000; the Southern from 461,000 to 1,030,000.

This people — a new race, moulding their institutions under Christian influences[1] — were fixed in the traits that characterize Americans. Without the infection of wild political or social theories, they were animated by a love of liberty and a spirit of personal independence unknown to the great body of the people of Europe, while at the same time recognizing the law which united the individual to the family and to the society in which he is appointed to live, to the municipality and the commonwealth which gave him protection, and to a great nation which met and satisfied the natural sentiment of country.[2]

The colonies had reached their development as thirteen distinct communities, each of which, though claiming a common property in certain fundamental ideas, had modes of life, likes and dislikes, aims and ambitions, and an internal polity

3,026,678. Tucker, in his "History of the United States" (i. 96), makes the following apportionment, which indicates the relative importance of the colonies: —

Massachusetts	360,000
New Hampshire	80,000
Connecticut	200,000
Rhode Island	50,000
New York	180,000
New Jersey	130,000
Pennsylvania	300,000
Delaware	40,000
Maryland	220,000
Virginia	560,000
North Carolina	260,000
South Carolina	180,000
Georgia	30,000
	2,590,000

[1] See above, p. 107.

[2] Winterbottom, in his "View of the United States" (i. 409, Am. ed. 1796), says: "The political creed of an American colonist was short, but substantial. He believed that God made all mankind originally equal; that he endowed them with the rights of life, property, and as much liberty as was consistent with the rights of others; that he had bestowed on his vast family of the human race the earth for their support; and that all government was a political institution between men naturally equal, not for the aggrandizement of one or a few, but for the general happiness of the whole community."

in many respects local and peculiar. They had attained the condition, in Milton's words, long wished for and spoken of, but never yet obtained, in which the people had justice in their own hands, and law executed fully and finally in counties and precincts.[1] They were not like the United Provinces of Holland, — many sovereignties united in one commonwealth, — but, unlike any previous political organization, peoples consolidated into commonwealths, all having separate governments with distinct jurisdictions, and all "under one united and intrusted sovereignty,"[2] allegiance to which they were proud to acknowledge. They could present in science a Franklin, and in metaphysics an Edwards, — great in these provinces, — but little else of enduring fame in art, philosophy, or literature. They, however, had made a great history; they had taken up the principles of the revolution of 1640, which England had cast down, and showed their working in political institutions, — how they tended to make a people "virtuous, noble, and high-spirited." When called upon to maintain these institutions, they evinced a culture and intelligence that surprised the civilized world. Edmund Burke, in the House of Commons, spoke of them in the following terms: "Nothing in the history of mankind is like their progress. For my part, I never cast an eye on their flourishing commerce and their cultivated and commodious life, but they seem to me rather ancient nations, grown to perfection through a long series of fortunate events and a train of successful industry accumulating wealth in many centuries, than the colonies of yesterday."[3]

These flourishing colonies were in the relation of union. This was not a factitious result, but a providential issue, having as its inner springs fidelity to similar political ideas, a feeling of brotherhood, common peril, and a common object. This union — before the Constitution, before the Confedera-

[1] A Free Commonwealth, Prose Works, Bohn's ed., ii. 135.

[2] Milton, Ibid., ii. 136.

[3] Speech on American Taxation, April 19, 1774. Parliamentary History, xvii. 1236.

tion, before the Declaration — was familiar in the speech of Americans, and instinctively clung to as their rock of salvation.[1] The spirit animating the people appeared in the interchange of sentiment cited in the preceding chapter, in which the terms "country," "countrymen," "commonwealth," "nation," and "America" were used to denote a certain collective life. These terms were the signs of a further development,— namely, of the sentiment of nationality. The people of these dependent colonies in union were advancing to the condition of people of independent States in union; and they were growing into the relations with each other which such a development required; or were determining what powers they would exercise through the existing unit of the colony by its local government, and what through a general government for the new unit of the United Colonies or States. When the public mind attained convictions on vital points, it became the province of statesmen to devise a written Constitution to meet the requirements of the unwritten law. The early formative process was rather institutional than conventional, — rather the instinctive judgment than the formal compact. The grand result was the oneness, sovereignty, and nationality of the people, within prescribed limits, proudly upheld by all parties in the revolutionary age.[2]

The people waited, in keen anxiety, to learn the effect produced in England by the fact of union, and the measures of the congress. In their action, they pleaded with the sovereign, not that they had attained majority, and therefore were entitled to separation and to national power, but that

[1] "If I am called an enthusiast for it, I cannot help thinking that this union among the colonies and warmth of affection can be attributed to nothing less than the agency of the Supreme Being." — Samuel Adams, March 12, 1775. James Bowdoin, Sept. 6, 1774, wrote to Franklin of the penal measures: "The spirit those Acts have raised throughout the colonies is surprising. It was not propagated from colony to colony, but burst forth in all of them spontaneously as soon as the Acts were known; and there is reason to hope that it will be productive of a union that will work out the salvation of the whole." — Sparks's Franklin, viii. 127.

[2] Writings of James Madison, iv. 320.

the proud development portrayed by Burke was the fruit of the exercise of English liberties according to American interpretation and application, and that their progress in the future depended on their power of resistance to the ideas and practices which a Tory administration was trying to force upon them at the point of the bayonet. These Tory ideas were impersonated in the king. He continued, to a great degree, to shape the measures of the Cabinet. However his recently published correspondence may affect our estimate of his culture and judgment, it cannot but increase respect for his honesty and fidelity to his convictions of duty. He now wrote: "I entirely place my security in the protection of the Divine Disposer of all things, and shall never look to the right or left, but steadily pursue the track which my conscience dictates to be the right one."[1] These words are expressive of the intrepid will, and corresponding action is all that can be expected of a statesman. But in this case the action marks the absence of clear vision. It shows that the terrible errors of the Tory school had, with the king, the force of truth. The America mirrored in his mind was a picture of faction, hypocrisy, ingratitude, and treason; and its great characters, who were adding lustre to human nature, were but actors playing their parts. He looked upon New England as in a state of rebellion, the colonies as ripe for mischief, and believed that blows must decide whether they were subject to England or were independent.[2] Nor had he the smallest doubt that blows, well laid on, would produce submission. He asked simply for a united England. His faith in the nation, in this state, was well-nigh perfect. He thought it needed only to lift a vigorous hand, and opposition would crumble. He even expected to see a resolve of Parliament "put an end to congresses.' Henceforth he approved of every measure for distressing America, as the means of bringing about a return to duty.[3]

[1] Donne's Correspondence of George III., i. 229.
[2] Ibid., i. 215. [3] Ibid., 274.

His one steadfast purpose was subjection. If for nothing more than the monarchical principle, and as its representative, he felt moved to inflict a deadly blow on the republicanism which he had been brought to believe had long been pressing on

"To tread down fair respect of sovereignty."

In a letter of the 18th of November the king refers to important despatches just received from America.[1] They probably gave the information that Congress had approved the resistance offered by the inhabitants of Massachusetts to the Regulating Act, — a fact which he heard with profound emotion. In his speech at the opening of Parliament (November 29), he said "that a most daring spirit of resistance and disobedience to the law still unhappily prevailed in the province of the Massachusetts Bay, and had, in divers parts of it, broke forth in fresh violences of a very criminal nature," and that "these proceedings had been countenanced and encouraged" in the other colonies. He assured the two Houses that they might depend on his firm and steadfast resolution to withstand every attempt to weaken or impair the supreme authority of the imperial legislature over all the dominions of the crown.[2] Both Houses, in addresses of thanks carried by great majorities, echoed the language from the throne, and pledged themselves to cooperate in the measures that might be necessary to maintain the dignity, safety, and welfare of the British Empire. On the 22d of December, Parliament adjourned to the 19th of January.

The proceedings of Congress now appeared in the public prints of England and Scotland, eliciting warm tributes.[3]

[1] Donne supposes that these despatches announced that congress had passed the votes of October 8, pledging support to Massachusetts; but the series of votes to which he refers were printed in the "Edinburgh Advertiser" of Dec. 23, 1774. The despatches probably related to the votes of September approving the resistance of Massachusetts.

[2] Parliamentary History, xviii. 33.

[3] The "Pennsylvania Evening Post," Jan. 28, 1775, has a piece from the "Lon-

The petition to the king was received by Franklin, who called a meeting of the colonial agents to consult on the manner of presenting it. Three declined to act, and hence the decision rested with Franklin, Bollan, and Lee. They, after consulting their best friends, gave the petition to Lord Dartmouth, who soon (December 24) informed the agents "that His Majesty had been pleased to receive the petition very graciously, and to command him to tell them it contained matters of such importance, that, as soon as Parliament met, he should lay it before them." Soon after (Jan. 4, 1775), Lord Dartmouth, in a circular to the governors of the colonies, instructed them to use their endeavors to prevent the appointment of deputies within their several governments to the congress appointed for May; and he reiterated the orders to General Gage, to use the force at his command to execute the Acts altering the Massachusetts charter. On the 12th of January, the Privy Council decided that the proceedings of the congress did not supply a basis for reconciliation; and it was determined that the force of the nation should be used to protect the loyal in the colonies, and that all others should, by proclamation, be declared traitors.

On the reassembling of Parliament (Jan. 19, 1775), the petition to the king, with a mass of papers relating to America, was laid before it. Great debates followed. Lord Chatham submitted a motion for the withdrawal of the troops from Boston, and Burke delivered his immortal speech in favor of conciliation. But the argument in support of a reversal of the policy of the administration fell powerless on

don Public Ledger," which says: "I look on the dignity of the American Congress as equal to any assembly on earth, and their deliberations and resolutions more important in their nature and consequences than any which were ever before agitated in council." The "Edinburgh Advertiser" of December 23 issued a supplement containing a continuation of the proceedings of Congress, with the following observation: "The letters of the American Congress, written with so much spirit, sound reason, and true knowledge of the Constitution, have given more real uneasiness than all the other proceedings of the Congress." The "Boston Evening Post" of March 27, 1775, has a letter, dated London, which says of the proceedings of Congress: "It is impossible that any production could have done more honor to America, or gained more universal approbation."

an intense nationality stirred by wounded pride. The interesting history of that period has been often related. The results may be briefly stated. The two Houses agreed (February 7) on a joint address; and, to give it the more imposing form, both Houses waited on the king in a body and presented it. They declared that they never could so far desert the trust imposed on them as to relinquish any part of the sovereign authority over all His Majesty's dominions; and assured the king, in the most solemn manner, that it was their fixed resolution, at the hazard of their lives and properties, to stand by him. The king returned his thanks for this affectionate address, and, ten days later, called for an augmentation both of the land and naval forces. "I have not the smallest doubt," he wrote (February 15), "when once vigorous measures appear to be the only means left of bringing the Americans to a due submission to the mother country, that the colonies will submit." Thus neither the fact of union nor the proceedings of the congress, from which so much was expected, had any political significance with the administration. They did not occasion even a pause in the execution of the coercive measures. The main effect of the action of the Americans seemed to be astonishment that they should conceive it possible to resist successfully so great a power as England. The culmination of the whole series of measures was to be in the proposed proclamation. This, however, for the present, was withheld.

These proceedings, soon followed by an Act shutting the ports of New England, gratified the national pride. They were popular. In a short time, loyal addresses from cities and corporations, from churchmen and dissenters, from the great seats of learning, from all parts of the kingdom — indorsed the coercive policy, and showed a public sentiment strongly in sympathy with the king.[1] Thus England had a

[1] In Somerville's "Life and Times" (1861), p. 187, it is said: "There does not perhaps occur in the annals of Britain a single instance of a war more popular at its

strong government, or, more precisely, a strong administration. But, as remarked by one of her most distinguished modern statesmen, an administration which overleaps wisdom and violates justice is one of the worst evils that can befall a country:[1] especially if it disregards the Constitution and still retains its hold on public sentiment: for then the bonds of constitutional morality are loosened, error has possession of the popular mind, and the waters of political life are poisoned at the fountain.

The popular feeling was represented in Parliament, when Lord North introduced (February 20) his plan of conciliation. He proposed to tender to each colony, as a separate community, freedom from taxation, except such duties as might be necessary for the regulation of the commerce of the whole empire, on its making provision satisfactory to His Majesty in Parliament for the general defence and for the support of the civil government. The high prerogative party pronounced this a concession; their dissatisfaction was general and violent; and the storm, for two hours, was so furious that many thought the minister was about to be left in a minority. The king's friends, however, rallied to his support; and he carried the resolution embodying his plan by the usual majority. The king now wrote, that, as this measure put an end to congresses, it certainly would have a good effect in England, and he hoped it would have a good effect also in at least some of the colonies.[2] With keener insight, Colonel Barré said that it was intended to divide the Americans, — to dissolve that generous union in which they stood as one man in defence of their rights

commencement than that which fatally took place between Great Britain and her colonies," — and (p. 100) "it was prompted and carried on by the desire of the British nation at large."

[1] "Thus the nation had the satisfaction of finding that it had a strong government. But a strong government which overleaps wisdom and violates justice is one of the worst evils that can befall a country." — Lord John Russell's Life and Times of Charles James Fox, i. 72.

[2] Donne's Correspondence of George III., i. 31.

and liberties;[1] and Lord Chatham wrote: "It is a mere verbiage, a most puerile mockery. Everything but justice will prove vain to men like the Americans, with principles of right in their minds and hearts, and with arms in their hands to assert those principles."[2]

As the sword suspended by a thread was about to fall, Lord North caused it to be made known to Franklin that the administration, for the sake of peace, might repeal the tax on tea and the Port Act, but "that the Massachusetts Acts, being real amendments of their Constitution, must, for that reason, be continued, as well as to be a standing example of the power of Parliament." This involved the subjection of the free municipalities of America — indeed, its whole internal polity — to the caprice of majorities in a legislative body three thousand miles away, in which they were not represented, and consequently the establishment of centralization in its worst form. Opposed to this assumption was the principle of local self-government, obscurely realized in the German Fatherland, the basis of the polity of Saxon England, recognized as a fundamental in Magna Charta, guarantied in America by royal charters, here, by usage, become written and unwritten law, and hence inherent and inviolable. Franklin comprehended the greatness of the issue: his simple method of diplomacy was frankness and truth; and he answered the proposal of Lord North by saying that the claim of Parliament to alter the colonial charters and laws rendered all the constitutions uncertain, — and that as by the claim to tax they deprived Americans of their property, so by the claim of altering charters and laws at will they deprived them of all privileges and rights whatever, except what they should hold at the pleasure of Parliament.[3] He accordingly, by his friend

[1] Parliamentary History, xviii. 334.

[2] Chatham's Correspondence, iv. 403.

[3] Sparks's Works of Franklin, v. 22, where is an account of the negotiations in London just before Franklin left England, dated March 22, 1775. Ramsay's History of the Revolution, i. 180.

Lord Howe, sent the following declaration, to be delivered to Lord North: "The people of Massachusetts must suffer all the hazards and mischiefs of war, rather than admit the alteration of their charter and laws by Parliament. They that can give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety." These were the last words which the illustrious American, on leaving England, addressed to the obsequious instrument of arbitrary power.[1]

The news of the reception of the petition to the king and of the address of both Houses of Parliament reached America when the popular party was in a state of great excitement. The numerous public meetings were demonstrations that one heart animated and one understanding governed this party. In Massachusetts, John Adams was urging in the public prints that all men were by nature equal, and that kings had but delegated authority, which the people might resume.[2] A South-Carolina judge, William Henry Drayton, was declaring from the bench that he was servant not to the king, but to the Constitution, which he charged juries they were bound to maintain at the hazard of their lives.[3] The Assemblies were approving the measures of the last Congress, and appointing delegates to the second Congress. The colonies were moving so compactly and firmly as to elicit the remark, that, if any should neglect to choose delegates, the effect on it would be ruinous, as all intercourse would immediately

[1] Bancroft, vii. 242. The last sentence was much used in the Revolutionary period. It occurs even so early as November, 1755, in an Answer by the Assembly of Pennsylvania to the Governor, and forms the motto of Franklin's "Historical Review of Pennsylvania," printed in 1759, appearing also in the body of the work, — thus: "There is not in any volume, the sacred writings excepted, a passage to be found better worth the veneration of freemen than this: 'Those who would give up essential liberty to purchase a little temporary safety deserve neither liberty nor safety.'" These words were sometimes put at the head of the calls of the patriots for public meetings, an instance of which is found in the "Boston Chronicle," Aug. 8, 1768. A portrait of Franklin, in the fifth volume of Almon's "Remembrancer," printed in 1778, has this motto engraved on it.

[2] Novanglus, in Essex Gazette, Feb. 21, 1775.

[3] Charge in Essex Gazette, Feb. 21, 1775.

cease between that colony and the whole continent.[1] And when the adherents of the ministry in England were arriving at the conclusion that "the Americans were a nation of noisy cowards," Joseph Warren uttered the prediction, "America must and will be free. The contest may be severe; the end will be glorious. We would not boast; but we think, united and prepared as we are, we have no reason to doubt of success, if we should be compelled to make the last appeal; but we mean not to make that appeal, until we can be justified in doing it in the sight of God and man."[2] This prediction was based on the fact of union. The faith of the patriots in a United America was as strong as that of the king in a United England.

The appeal to which these words referred was at hand. The Massachusetts militia, as before related,[3] were organized, and the committee of safety were empowered to call them into the field whenever the attempt should be made to execute by force the Regulating Acts; while General Gage was instructed to disarm the inhabitants. As the news from England became more warlike, the committee of safety authorized the purchase of military stores, a portion of which were carried to Concord, a rural town about eighteen miles from Boston; and they organized express riders to summon the militia, in case the king's troops should take the field. In this preparatory work Joseph Warren was particularly active.

The military stores deposited in Concord General Gage resolved to destroy, and for this purpose planned an expedition which he intended should be a secret one. A detachment left Boston stealthily on the evening of the 18th of April, and continued their march during the night. Warren, however, obtained intelligence of the movement in season to despatch two expresses, by different routes, into the country, with directions to call out the militia. The mes-

[1] Letter of Joseph Warren, April 3, 1775. [2] Ibid.
[3] See page 392.

sengers mounted horses and spurred on from town to town on their eventful errand. "The fate of a nation was riding that night."

At sunrise on the nineteenth of April, the detachment reached Lexington, a small town eleven miles from Boston, on the road to Concord. The militia of this place had promptly answered the summons to parade, and were fired upon by the troops, who killed some and wounded others. The detachment then moved on, reached Concord, about six miles from Lexington, at seven o'clock, and halted in the centre of the town, whence parties were sent in different directions to destroy the military stores. A guard of a hundred men was stationed at the old North Bridge. About ten o'clock, as a body of the militia were approaching this bridge, the guard fired upon them, when more citizens were killed and wounded. No mausoleum ever commanded such honor as Americans attach to the graves of these early martyrs to American liberty. This precious blood roused righteous indignation in the breasts of the yeomanry, who had been flocking in, and stood with their old firelocks in their hands on that village green. They resolved to avenge the death of their brethren. Two hours after the firing at the bridge the king's troops began their march for Boston, when the militia fell upon them in such fiery spirit, and with such deadly effect, that the march was soon turned into a run. The proud veterans were saved from total destruction by a reinforcement which left Boston in the morning and joined them at Lexington; and they found security only in the shelter of ships of war at nightfall, when by the light of the flashing musketry they entered Charlestown and rested on Bunker Hill.

The news of this scene of blood roused the spirit of the patriots throughout the colonies. John Stark in New Hampshire, Israel Putnam in Connecticut, the military oracles of their neighborhoods, leaving unfinished the work on their farms, and mounting their horses to join their brethren in peril,—the committee of Orange County, James Madison

one of the number, pronouncing the blow struck in Massachusetts an attack on Virginia and every other colony,[1] — the patriots of the Carolinas entering into associations pledging their lives and fortunes to defend an injured country,[2] — are illustrations of the general uprising to support at every hazard a common cause. The high resolve of that historic hour is embodied in the calm, sorrowful, determined words of Washington, penned in the quiet retreat of Mount Vernon. "Unhappy," he wrote, "is it to reflect that a brother's sword has been sheathed in a brother's breast, and that the once happy and peaceful plains of America are to be either drenched with blood or inhabited by slaves. Sad alternative! But can a virtuous man hesitate in his choice?" — language in which the yearnings of the patriot give affecting solemnity to the implied resolve of the soldier.[3] The use of force to repel force without a thought of consequences was instinctively and universally justified by the popular party, and the preparation for it which foresight had enjoined proved efficient at least for the crisis. The bands appearing on the roads leading to Massachusetts had been organized and delegated by the public authorities to bear the sword

[1] The address of the committee, May 9, 1775, was from Madison's pen. His father signs it as chairman. — Rives's Life of Madison, i. 95.

[2] An "Association" was unanimously agreed to in the provincial congress of South Carolina, on the 3d of June, 1775, and signed by all the members. It runs thus: "The actual commencement of hostilities against this continent by the British troops, on the 19th of April last, and the dread of insurrections . . . are causes sufficient to drive an oppressed people to arms. We, the subscribers, inhabitants of South Carolina, holding ourselves bound by that most sacred of all obligations, the duty of good citizens towards an injured country, and thoroughly convinced that under our present distressed circumstances we shall be justified before God and man in resisting force by force, do unite ourselves under every tie of religion and honor, and associate as a band in her defence against every foe; hereby solemnly engaging that, whenever our continental or provincial councils shall deem it necessary, we will go forth, and be ready to sacrifice our lives and fortunes to secure her freedom and safety, and hold all those persons inimical to the liberty of the colonies who shall refuse to subscribe this Association." This was printed in the "Massachusetts Spy" of July 12, 1775. The form was used in North Carolina, and is nearly word for word the "celebrated Cumberland Association," dated June 20, 1775, which, Jones says, in his "Defence of North Carolina" (p. 179), was the composition of Robert Rowan. He remarks that these associations prevailed throughout the province.

[3] Irving's Life of Washington, i. 439.

for the common defence. They met in the towns around Boston, and here pitched their tents. They placed the British army in a state of siege, and thus rendered it useless for the purposes for which it was sent over. These events created the stage of armed resistance. Thus the ten years of discussion, formation of public opinion, political organization, and military preparation culminated in "a Runnymede in America."

In the midst of the impulses and passions incident to an outburst of war, the governors of the colonies received Lord North's plan of conciliation, which the king termed an olive-branch, and the administration commended in a pamphlet it caused to be written and circulated in the colonies. It was ordered to be submitted to the Assemblies. Several were petitioning the king. Connecticut sent a mission to confer with General Gage. The plan accorded with this separate action, and was designed to tempt local pride and consequence: much was expected from it in England, and especially from the course of New York with regard to it.

Governor Penn of Pennsylvania was the first to lay the plan before an Assembly, giving the assurance in a message (May 2, 1775) that they would be revered to the latest posterity, if they should be instrumental in rescuing both countries from the dreadful calamities of civil war. He most earnestly urged separate action. The Assembly was prompt to answer, that they would deem it a dishonorable desertion of sister colonies joined in a union conducted by general councils, to adopt a measure of so extensive a consequence without the consent of those engaged by solemn ties in the same common cause; and they could form no prospect of any lasting advantages for Pennsylvania but such as must arise from a communication of rights and property with the other colonies.[1] The New Jersey Assembly, convened by

[1] The "Pennsylvania Evening Post" of May 6 has the Governor's Message and the answer. The latter (dated May 4) was "passed without one dissenting voice." It had the following sentence: "Your Honor, from your long residence and conver-

Governor Franklin expressly to receive this plan, informed the Governor (May 19) that they had not the least design of deserting the common cause, declined to act separately on it, and declared that they should abide by the united voice of Congress. The Virginia House of Burgesses, in an address (June 12) to Governor Dunmore, — a masterly paper, prepared by Jefferson, — remark, that, "as an individual part of the whole empire," they express their sentiments freely against an acceptance of this plan; but that they left the final determination to the General Congress, in the hope that this body would so strongly cement their former union that no partial application would produce the slightest departure from the common cause.[1] The action of other bodies was in a similar tone. The general committee of New York in a circular to the other colonies, say, that the inhabitants had resolved to "stand or fall with the freedom of the continent."[2] The committee of South Carolina depicted the danger of the several provinces entering into separate negotiations, and urged the duty of preserving the great continental chain unbroken.[3] Subsequently every Assembly refused to treat separately with Great Britain, or otherwise than through the General Congress. In this manner it was irrevocably settled that this body should exercise the

sation with us, must be persuaded that the people we represent are as peaceable and obedient to government, as true and faithful to their sovereign, and as affectionate and dutiful to their superior state, as any in the world; and though we are not inattentive to the opinion of posterity, as it might reflect honor upon our country, yet higher motives have taught us upon all occasions to demonstrate, by every testimony, our devotion to our king and parent state."

[1] The "Pennsylvania Evening Post" of June 22, 1775, says: "The printer was favored with the following address this morning by a gentleman from Williamsburg." It is entitled, "To His Excellency, John Earl of Dunmore, His Majesty's Lieutenant, and Governor-General of the Colony and Dominion of Virginia, and Vice-Admiral of the same." It says: "Next to the possession of liberty, my Lord, we should consider such a reconciliation as the greatest of all human blessings."

[2] The circular, dated May 5, is in the "Pennsylvania Evening Post" of May 15.

[3] The circular, dated April 27, 1775, is in the "Pennsylvania Evening Post" of May 20. The South Carolina Assembly, April 6, 1776, resolved that this colony should not enter into any treaty or correspondence with the court of Great Britain, or with any person or persons under that authority, but through the medium of the Continental Congress. — Almon's Remembrancer, iii. 200.

national function of peace and war; and this carried with it the power to establish prize courts, the cases in which are determined by the laws of nations. This was the beginning in America of what in matters of international law is termed sovereignty.

The members elect to the General Congress were now on their way to Philadelphia, often receiving hearty testimonials of affection and respect from the communities through which they passed. On the 10th of May they convened in the building long known as the State House. This was the beginning of the uses and associations which invest this venerable structure with national interest. It is a large, plain building of brick, two stories high. At that time it had a small belfry to contain the bell for the town clock, which still continues an object of curiosity. The provincial assembly held its sessions in one room, the supreme court of judicature in the other.[1] The upper story had a long gallery, used for festivals, and here the members of the last Congress had been entertained. The Congress assembled in the lower room, now Independence Hall, which still retains the style of finish it had then. The walls are graced with rich historic memorials of the days of the Revolution.

Nearly all the delegates elect had been members of the last Congress. Among those who appeared for the first time in this body were George Clinton, one of the great characters of New York, subsequently Vice-President, — and Franklin, rich in fame and wisdom, and fresh from the inner circles of British politics. Georgia was at first partially and afterwards fully represented. The former president, Peyton Randolph, was unanimously re-elected, — also the former secretary, Charles Thomson. After providing for an invitation to the Reverend Jacob Duché to read prayers, and the appointment of a door-keeper and messenger, Congress adjourned until the next day.

On the 11th they proceeded to business, when the creden-

[1] History of Independence Hall, 52.

tials were submitted.[1] They term the members delegates, or deputies, — or simply say that the persons named were chosen to represent the colony, or to attend the session of the Continental Congress. The credentials which state the object of the meeting say, "to obtain redress of American grievances," "to recover and establish American rights and liberties," "to restore harmony between Great Britain and her colonies," and "to advance the best good of the colonies"; and they confer power to consult and agree upon such measures as seem calculated to bring about these results. The Congress formed a general council, representing majorities in thirteen colonies who had agreed to abide by its decisions, and embodied the will of the people. It did not possess the machinery by which to carry its decrees into effect; and yet so fixed was the determination to have them respected, that ways and means were found through various committees to give its acts the force of law. Hence it was the public authority, or head of a great movement based on the general consent, and as such was recognized and obeyed.[2]

The credentials being approved, the doors closed, and the members under the strongest obligations of honor enjoined to secrecy, business was formally brought before them in official papers. A letter from the agents in England stated that the petition to the king had been laid before Parliament, "but undistinguished from a variety of papers and letters from America," and, relating the fate of other petitions, contained the remark that this mode could afford no reliance.[3] John Hancock presented a paper from the Massachusetts congress, dated May 3, 1775, relating the events

1 The credentials are printed in the Journals of Congress, i. 70–76.

2 Ebenezer Hazard, the editor of the invaluable Collections bearing his name, in a letter to Silas Deane, April 7, 1775, says of the Congress: "Had I the honor of being appointed a member of that truly august assembly (whose memory latest posterity will revere as that of the saviour of their country and liberties), I would not give it up for a kingdom." — 2 Col. Conn. Hist. Soc., 218.

3 The letter was dated London, Feb. 5, 1775, and signed by William Bollan, Benjamin Franklin, and Arthur Lee. — Journals, i. 76.

occasioned "by the sanguinary zeal of the ministerial army," the patriots, Washington wrote, could not prevail on themselves to call this army the king's troops,[1] and, with the remark that the emergency precluded the possibility of their waiting for the direction of Congress in their military action, urged that a powerful army on the side of America was the only means left to stem the rapid progress of a tyrannical ministry. In a paper of May 16 this body dwelt more fully on the political situation, declaring "that government in full form ought to be taken up immediately," but, though urged by the most pressing necessity, declining to assume the "reins of civil government without the consent of Congress"; they stated that they were ready to submit to such general plan as it might direct for all the colonies, or would study to form such a government as would not only promote their advantage, but the union and interest of all America, and that they anxiously waited explicit advice on this subject.[2] The city and county of New York, through their delegates, requested (May 15) to be advised how to conduct towards the British troops expected there. The taking of Ticonderoga required a decision relative to the military stores that were captured. The New-Hampshire convention, in a letter of the 23d of May, stated, that, when the alarm sounded that the foe had begun a scene of blood on the lives of their brethren, they generally, listening only to the calls of humanity, ran to give aid with all the speed of common interest and friendship; that there was not time "to consult America at large," and they voted to raise two thousand men; that they ardently desired to preserve the connection between Great Britain and the colonies, yet many among them were disposed to conclude that the voice of God and Nature, since the late hostile attempt, was that they were bound to look to their whole political affairs; that they had "not yet largely and fully consulted with one another on

[1] Sparks's Works of Washington, ii. 406.
[2] Journals of Congress

this article," and trusted they should keep self-defence in view until they heard "the united plan of the colonies in the general council, which they prayed and trusted might be under the influence of Heaven."[1] The committee of Mecklenburg County, North Carolina, in a series of resolves, declared that the address of both Houses of Parliament in February annulled and vacated all civil and military commissions granted by the crown, provided a set of rules for their county to meet the exigency, by which officers were to exercise their powers by virtue of the choice of the people independently of the crown, and sent the resolves to Congress.[2] The Massachusetts papers were referred to a special

[1] Letter by Order of the Convention, in Force's Archives, 4th Series, ii, 696. This noble letter was signed by Matthew Thornton. It contains the earliest suggestion on the subject of independence, by an organized body, that I have met with. It was received and read in Congress June 2, 1775. I have not seen it in the newspapers of the time.

[2] The North-Carolina convention of August, 1774, and the Continental Association of the succeeding October, advised the choice by the several counties of committees to carry out the plan of the General Congress. Mecklenburg County, with thirty-five other counties of this colony, chose its committee. There are notices in the newspapers of monthly meetings of these committees, at which, it is said, persons not members were present. The committee of Mecklenburg met in Charlotte on the 31st of May, 1775, other persons also being probably present. The committee expressed its sentiments on public affairs in a preamble and nineteen resolves, admirably worded, from the pen of Dr. Ephraim Brevard. They affirmed that the joint address of both Houses of Parliament, in February, declaring the colonies in rebellion, annulled and vacated all offices and suspended the constitution of the colonies; and, for the better preservation of order, provided a set of rules to serve for the county until the provincial congress should "regulate the jurisprudence of the province," or until Parliament should resign its arbitrary pretensions, — also for the choice of county officers, to exercise authority by virtue of this choice, and independently of the crown of Great Britain.

These resolves were read to the people from the steps of the court-house, and printed in "The Cape Fear Mercury," "The South-Carolina Gazette" of June 13, 1775, and, among Northern journals, in "The New-York Journal" of June 29, 1775, and four of the resolves, with the preamble, in the "Massachusetts Spy," at Worcester, July 12, 1775. The publication in the "Spy" had the following head: "Charlotte Town, Mecklenburg County, May 31, 1775. This day the committee of this county met and passed the following resolves." On the 20th of June, 1775, Governor Wright, of Georgia, sent the whole series in the "South-Carolina Gazette" to Lord Dartmouth. (Wheeler, North Carolina, ii. 255.) On the 30th of June, 1775, Governor Martin, in a letter to the Earl of Dartmouth, says, he sends him a newspaper containing "the resolves of the committee of Mecklenburg," and states that he was informed that a copy was sent off by express to the Congress in Phila-

committee, and the New-York request to the committee of the whole. The Mecklenburg resolves were not formally laid before Congress.

delphia as soon as they were "passed in committee." On the 8th of August, 1775, he issued a long and bitter proclamation, recounting the practices of the colony of North Carolina, which he alleged to have been treasonable. This occupies more than one side of the "Pennsylvania Journal" of Nov. 1, 1775. In it he says, "I have seen a most infamous publication in the 'Cape Fear Mercury,' importing to be resolves of a set of people styling themselves a committee for the county of Mecklenburg, most traitorously declaring the entire dissolution of the laws, government, and Constitution of this country, and setting up a rule." The inference is fair that this was the newspaper which Governor Martin sent to Lord Dartmouth. It will be observed that in all these authorities the word "committee" is used.

The first resolve, here copied from the "Massachusetts Spy," is as follows: "That all commissions, civil and military, heretofore granted by the crown, to be exercised in these colonies, are null and void, and the constitution of each particular colony wholly suspended." The second is: "That the provincial congress of each province, under the direction of the great Continental Congress, is invested with all the legislative and executive powers within their respective provinces, and that no other legislative or executive power does or can exist at this time in any of these colonies." These resolves are, word for word, like those printed in the "South-Carolina Gazette."

This action, though bold in the direction of self-government, was still in the spirit of subordination of the county to the colony, or to the decision of the provincial congress and the Continental Congress, — that is to say, in entire harmony with the revolutionary movement. North Carolina may point to it with pride as evincing the spirit of the people, and even as taking substantially the position that was taken on the 15th of May, 1776, when Congress recommended all the colonies to form local governments.

This record, however, found no place in the early histories of the State or of the United States, because their authors did not search the newspapers. The silence of the historians probably induced the actors in the proceeding to think it had been forgotten, and to make the laudable attempt to supply the supposed loss of the record from recollection. This was done in a series drawn up before 1793, which remained twenty-five years in manuscript. At length the "Raleigh Register" of April 30, 1819, printed five resolves, termed "The Mecklenburg Declaration of Independence," bearing the date of May 20, 1775. They contain ideas and matter relative to local affairs to be found in the resolves of May 31, 1775, with a few phrases of the Declaration of Independence of 1776: some accounts say, adopted at a convention of delegates held in Charlotte; other accounts, at a meeting "of perhaps half the men in the county." The largest number named as being present is twenty-nine. The modern history of this proceeding culminated in 1842, in a memorial addressed to the Assembly of North Carolina, in which it is presented as "full of moral sublimity, and a source of elevating State pride," that the sons of North Carolina should assemble at Charlotte, and without assurance of support from any quarter should "declare themselves a free and independent people, and of right ought to be sovereign and self-governing." (Wheeler's North Carolina, ii. 259.) The five resolves, much altered, were printed in 1829, by Martin, in his "History of North Carolina," together with an additional resolve. In a North-Carolina publication, in 1853, it was stated, that it was not known where Martin obtained his copy,

These applications forced on the popular leaders in Congress an issue which in their local assemblies they had endeavored to avoid, — the issue of sovereignty, the influence of which, latent or obvious, direct or indirect, gives to communities their tendencies and their fate.[1] Sovereignty is the fountain of power. Its definition by the jurists of the Old World was colored by customs, ideas, and prejudices which time had rendered venerable. It "had sometimes been viewed as a star, which eluded our investigation by its immeasurable height; sometimes it had been considered as a sun, that could not be distinctly seen by reason of its insufferable splendor."[2] It was regarded as something more than human, and held in mysterious and profound awe. As such, it had been the dispenser of political rights, — and especially when a nation, however diversified as to race, was regarded as one community, and was ruled from a single central point. The terms in which Americans throughout the colonial period expressed their loyalty to the king indicated that they shared largely the old feeling as to

which was described as "evidently a polished edition" of the copy printed in 1819. (Randall's Life of Jefferson, iii. 575.) The copy of 1819 was widely circulated. Its genuineness was questioned, and it occasioned a voluminous controversy. The aged patriots, in letters and certificates, supplied recollections of events that occurred when the resolves were passed, which, with the resolves of May 20, were printed by the assembly of North Carolina, in 1831, in a pamphlet.

The resolves of May 20, 1775 (the Mecklenburg Declaration of Independence), are examined with critical acumen by Hon. Hugh Blair Grigsby, in his admirable "Discourse of the Virginia Convention of 1776" (1855), and by Dr. Randall, in his thorough "Life of Jefferson," Appendix No. 2, vol. iii. (1858), who present facts and reasonings adverse to their genuineness which seem to be conclusive. I have not met with any contemporary reference, in manuscript or in print, to the convention or the public meeting which is said to have passed these resolves.

1 "What is the source of the sovereign power, and what is its limit? Whence does it come, and where does it stop? In the answer to this question is involved the real principle of government; for it is this principle whose influence, direct or indirect, latent or obvious, gives to societies their tendency and their fate." — Guizot, History of Representative Government, 57.

2 Works of James Wilson, i. 25. Wilson was born in Scotland, studied law in Edinburgh and Glasgow, and was a member of the Pennsylvania Convention, a delegate in the Congress of 1775, and subsequently Judge of the United States Supreme Court, and Professor in the University of Pennsylvania. His lectures and speeches are well worthy the study of Americans.

sovereignty. Their training, however, in the municipality and the general assembly in the exercise of self-government, and the convictions they had attained as to what should be made fundamentals in a system of public liberty, qualified them for the practical solution of the problem; and when, forced back on themselves, they were obliged to grapple with it, "to trace the dread and redoubtable sovereign to his ultimate and genuine source, he was found, as he ought to have been found, in the free and independent man."[1] Sovereignty is in the people. In them are "those inherent powers of society, which no climate, no time, no constitution, no contract, can ever destroy or diminish." In them, as the supreme power, resides the right of command, or the right to institute organic law, — to establish public authority, and to compel obedience to it. On this foundation rose the American superstructure of government.

The architects of this superstructure, however, did not feel themselves called upon to cut loose from the past or to deal with man according to any untried theory of natural rights; but, regarding him as a political being, they dealt with him as he stood related, by the cumulative law of ages, to the institutions of family and society, and as related to the commonwealth by a polity which he had moulded. They regarded him as thus entitled to a great inheritance of order, but subject to correlative obligations of duty. Hence, instead of yielding to the demands of amiable enthusiasts, or of confident theorists, or of merciless iconoclasts, and trying to cast society into a new mould, on the flattering, but deceitful, promise that in the process every wrong should disappear, they dealt with man on the basis of existing facts. They concentrated their efforts to preserve what had been gained, in the faith that time would bring whatever was wrong in existing law nearer to that justice which is "the only true sovereign and supreme majesty on earth."

[1] Works of James Wilson, i. 25.

Thus, throughout their work, the founders of the Republic recognized the fact that the people had not been ruled from a single central point, but were divided into communities, or bodies politic, each of which had exercised a share of political power. Each community occupied a territory of definite boundaries, each had a regular government and a distinct code of laws, each was a unit. In changing the base of the sovereignty, or in effecting a revolution, they used, in each, so far as it was practicable, existing forms of law. Except in Pennsylvania, they did not attempt to change the qualifications of voters until after the Declaration of Independence. Hence the political action which brought about this change was determined by those qualified under the law to vote in elections. They were summoned to act on test questions through the regular forms of proceeding in the municipalities, and transmitted their views by representation to the larger bodies, expressing the voice of the unit called the Colony or State. The will of the majority, collected and declared in this manner, was held to be binding as the law, whether it related to the domestic concerns of the Colony or State, or to the general welfare of the Colonies or States in union, or the nation. This fidelity to a vital principle in republics — submission to the regularly collected will of the majority — may be traced through all the confusion and turmoil unavoidable in the transition from the old to the new, during which influence had necessarily to supply the place of established public authority. The period of transition was brief in the case of the local governments, which, in each community, were developments gradually adjusted to their circumstances and wants; but to adjust the powers of a general government, adequate to the needs of a nation composed of independent States, required the experience and deliberations of several years. The basis of both governments was the same, — the people. The qualified voters, it was assumed, expressed the will of the whole people. This will was embodied in

written constitutions, or organic laws. These were acts by which the sovereignty prescribed the spheres and degrees of the power which officers chosen periodically should exercise in the unit of the State, or of the States in union, or United States, — in other words, the rules that should govern the conduct of the executive, legislative, and judicial agencies in the functions of government. The formative process was termed taking up, ordaining, instituting government. In doing this, the qualified voters were practically the sovereigns.[1] The result which they reached — a republican government — was a solution practically of the profound question of sovereignty; and the infant nation was saved from being offered up by enthusiasts as a sacrifice on the unsettled shrine of political ideas.[2]

The case of Massachusetts involved not merely the question of sovereignty, but that of coöperation also, — whether the Congress should advise its inhabitants "to set up a government in full form," or take a step equivalent to independence, before it could be known whether the other colonies would join in such a measure. It had long been presented in the public prints as the only step that could place American liberty on a permanent foundation; and the foremost of the popular leaders were convinced, that, in the progress of events, it was inevitable. But the popular party generally, through their various organizations, disclaimed such a purpose, and averred that they aimed only at a redress of grievances. Thus, the Virginia Convention, in dealing with Lord North's plan of conciliation, averred, that, next to the possession of liberty, they would regard reconciliation as

[1] The late Josiah Quincy, in relating the circumstance that he and the late Lord Lyndhurst, the son of John Singleton Copley, were born the same year in Boston, said: "It fell to the lot of young Copley to emigrate to a land the natural growth of which was lords, and so he became a lord: it fell to my lot to be reared in a land the natural growth of which is sovereigns, and so I became a sovereign."

[2] Necker, after independence had been won, said to Americans: "Do not offer up your nation as a sacrifice at the unsettled shrine of political ideas." — Taken from Wilson's speech in Elliot's Debates, ii. 529.

the greatest of all human blessings;[1] and the Massachusetts Provincial Congress declared that the bloody mark of ministerial vengeance, made on the day of Lexington and Concord, had not detached them from their lawful sovereign. John Adams had recently, in print, pronounced the assertion that the inhabitants panted after independence "as great a slander on the province as ever was committed to writing."[2] Nothing was clearer than that the public mind was not ripe for independence, and to take such a step prematurely was to invoke division and ruin. The debates on this case, in the committee of the whole, were long and earnest. Congress were quite unanimous in declining to give such advice as in their judgment involved the point of sovereignty, and would close the door of reconciliation. They decided the case on a consideration of its special circumstances, rather than on general principles. It was judged that the English precedent of the convention that deposed King James would meet it. The charter, given by the king, was held to be in the nature of permanent declaratory law, irrevocable and unalterable; and hence the two penal Acts of Parliament were judged illegal, and so null and void. As the Governor and Lieutenant-Governor recognized these Acts, they, like James II., were considered absent, and their offices vacant. But as the evils of suspended authority were intolerable, the Provincial Congress was advised to write letters calling for an election of representatives under the charter, who, in the customary mode, should choose councillors, "to exercise the powers of government until a governor of His Majesty's appointment consent to govern the colony according to its charter."

The answer given to New York was in the same spirit of moderation. The inhabitants were advised to remove the

[1] Jefferson, in his "Notes on Virginia" (p. 165, ed. 1825), says of Virginia: "It is well known that in July, 1775, a separation from Great Britain and establishment of republican government had never yet entered into any person's mind."

[2] Novanglus, dated March 13, 1775.

warlike stores from the town; to allow the British troops, daily expected, to land, and occupy barracks, so long as they were peaceable; but to resist the erection of fortifications, and the cutting off the communication between town and country, and to repel force by force. Congress ordered an inventory to be taken of the cannon and stores captured at Ticonderoga, with the view of returning them when it should be consistent with the overruling law of self-preservation.

The delegates from North Carolina advised the committee of Mecklenburg County to be a little more patient, until Congress should adopt the measure thought to be best.[1]

Other action of Congress evinced its stern determination. When its president, Peyton Randolph, returned to Virginia, it unanimously chose (May 24) John Hancock as his successor; elevating to the highest post of honor one who was identified with the action of the colony pronounced in rebellion by the king. Two days later (May 26), "ardently wishing for a restoration of harmony," it resolved to present "an humble and dutiful petition to His Majesty;" but at the same time, "for the express purpose of securing and defending these colonies," it further resolved that they "be immediately put into a state of defence." It accordingly thereupon assumed the force besieging Boston, and adopted a code of rules for the government of the army of the United Colonies.

Now arose the delicate question of the appointment of the commander-in-chief. Successive opportunities had made known the qualities and resources of George Washington. Service in the French war had developed in him singular military ability, in union with marked personal character; and his merits were discussed not only in America, but in

[1] The recollections of Captain James Jack, in 1819, at the age of eighty-eight, who bore the Mecklenburg resolve to Philadelphia, and of Rev. Francis Cummins, a student in Charlotte in 1775, are as applicable to the resolves of March 31, 1775, as to those dated May 20. The fact in the text is from the letter of Cummins. — Pamphlet of the State of North Carolina in Force's Archives, 4th Series, ii. 855.

Europe. He was so much of a public man that his movements were chronicled in the journals. His political course, during the long controversy with the mother country, had been decisive and manly. His name went through the colonies as a signer of the Virginia non-importation agreement, and as chairman of the county meeting where contributions were made for Boston, where Massachusetts was enjoined to resist the Regulating Acts, and where the militia was organized. Then, without thought of an independent fortune at risk, he gave utterance to the most eloquent speech in the Virginia convention,— that he would raise a company, and march at its head for the relief of Boston. In the first Congress, he ranked foremost among its great men for solid wisdom and sound judgment; and in the second Congress, being then a colonel of the Virginia militia, and commanding four companies, he appeared in uniform. In this way Providence revealed to America the treasure reposing in her bosom. This simple record will account for the expectation that he would be selected to lead the American armies, seen in the letters of James Warren, and of Elbridge Gerry for himself and Joseph Warren. It is to the honor of John Adams that he expressed the general conviction in the debate on the adoption of the army, when he said: "I had but one gentleman in my mind for that important command, and that was a gentleman from Virginia, who was among us, and very well known to all of us, — a gentleman whose skill and experience as an officer, whose independent fortune, great talents, and excellent universal character would command the approbation of all America, and unite the cordial exertions of all the colonies better than any other person in the Union." Thomas Johnson, of Maryland, nominated him commander-in-chief of the armies raised and to be raised for the defence of America, and John Adams seconded the motion. The election (June 15) was by ballot, and it was unanimous. The vote represented the popular feeling and judgment. The great selec-

tion was accompanied by no competition, and was followed by no envy worth the naming.[1] The trust was conferred with the simple charge to see to it "that the liberties of the country receive no detriment." The character thus advanced to the position of the representative man of the cause and the personification of the sentiment of union was the product of the times. It was wholly and grandly American.

When Washington left Philadelphia to engage in the work which was to gain for him the appellation of Father of his Country, Thomas Jefferson (June 21) entered Congress. Several productions written by him were passed round among the members, as evidence of his talent in the use of the pen. During the preceding year, he published his "Summary of the Rights of British America," in which he held that expatriation was a natural right, in the face of the old law maxim, Once a subject, always a subject;[2] and he brought the answer of Virginia to Lord North's plan, already referred to, a paper which came up to the ideas of the great men who were wisely guiding the Revolution. These productions, for soundness of views, felicity of language, and genuine American sentiment, will bear the test of the severest criticism. Their author was received with

[1] Silas Deane, June 16, 1775, wrote that he was "elected to that office by the unanimous voice of all America." — Connecticut Historical Collections, ii. 264.

Washington, in a letter to his wife, on his appointment, said: "It has been a kind of destiny that has thrown me upon this service"; to his brother Augustine: "I have been called upon, by the unanimous voice of the colonies, to take the command of the Continental Army"; and to the independent companies in Virginia, "It was an honor I was solicitous to avoid," but "the partiality of Congress, assisted by a political motive, rendered my reasons unavailing." John Adams, in his "Autobiography" (Works, ii. 415), and his grandson, Hon. Charles Francis Adams, in an interesting paper (Proceedings of Massachusetts Historical Society, 1858-60, p. 68), give the only details of this great measure I have met with. Ramsay (History of the Revolution, i. 216) says: "It was a fortunate circumstance attending his election, that it was accompanied by no competition and followed by no envy. That same general impulse on the public mind which led the colonists to agree in many other particulars pointed to Washington as the most proper person," &c.

[2] The "Edinburgh Advertiser" of Nov. 18 and Dec. 9, 1774, has long extracts from "The Summary View of the Rights of British America."

open arms by the members, was at once called upon for important service, and soon took rank among the leaders.

Congress aimed to act as dutiful subjects contending for their constitutional rights, — herein representing the great majority of their constituents. While they invoked the blessing of Almighty God on George III., the lawful sovereign, they reasserted the grounds on which the liberties and immunities of the colonies were based, declaring their cause just and their union perfect. They solemnly averred that the United Colonies, having advanced from commercial opposition to armed resistance to the arbitrary measures of Government, would not lay down their arms until the hostilities which had been invoked in support of these measures ceased, the grievances which they had been so long suffering were redressed, and — the new feature — a guaranty was provided for the future. This was the ultimatum.

The points in controversy were treated in elaborate papers, prepared with care, and characterized by great ability. In an earnest appeal to the Canadians, it was contended that the issue embraced freedom of conscience, — that the sun did not shine on a single freeman in all their extensive dominions, — that the destiny of the Catholic and Protestant colonies were strongly linked together, — and a cordial invitation was extended to that people to join the Union. In a declaration of the causes of taking up arms, it was averred that there was no wish to dissolve the connection which had so long and happily subsisted between Great Britain and her colonies, but only to invoke reconciliation. In an address to the inhabitants of Great Britain, calling them "friends, countrymen and brethren, fellow-subjects," Congress entreated them to disclaim the acts of injustice of the administration, and affirmed that the charge that the colonies were aiming at independence was supported only by the allegations of the ministry, not by the actions of the colonies. In a letter to the Lord Mayor of London, they declared that "North America" wished most ardently for a

lasting connection with Great Britain on terms of just and equal liberty, "less than which generous minds would not offer, nor brave and free ones be willing to receive." In an address to the Assembly of Jamaica, they dwelt on the ministerial insolence, which had become lost in ministerial barbarity. In an appeal to the people of Ireland, they remarked: "Though vilified as wanting spirit, we are determined to behave like men; though insulted and abused, we wish for reconciliation; though defamed as seditious, we are ready to obey the laws; and, though charged with rebellion, will cheerfully bleed in defence of our sovereign, in a righteous cause. What more can we say? What more can we offer?" And, as though gifted with prophetic insight, they remarked that, with a firm reliance on the Supreme Disposer of all human events, they anticipate already the golden period, when Liberty, with all the gentle arts of peace and humanity, shall establish her mild dominion in this Western World, and erect eternal monuments to the memory of those virtuous patriots and martyrs who shall have fought and bled and suffered in her cause.

Franklin submitted to Congress a plan of confederation and perpetual union, with the name of "The United Colonies of North America." It contemplated the accession of Canada and the West-India Islands, and even provided for the admission of Ireland. It recognized the old local self-government in the unit of the colony, while it aimed at a general government of limited powers for the whole. It proposed that each colony should retain and enjoy as much as it might think fit of its present laws, customs, and peculiar jurisdictions within its own limits, and the right of amending its constitution; that the Union should have an annual congress to make general ordinances relating to commerce, the currency, the post-office, an army, and a common treasury; that this congress should determine on war and peace, and settle disputes between colony and colony; and that it should choose an executive council

to manage the continental business, and to deal with foreign nations. The power of taxation was to remain with the several colonies. The plan was to be submitted to the colonies for their ratification, and provided for future amendments. It was not acted on at this session.[1]

The plan of Lord North for conciliation had been referred to the Congress by three Assemblies. On the 30th of May, a paper in the handwriting of Grey Cooper, Under-Secretary of the Treasury, was laid before Congress, as having been sent by the minister. It stated that no further relaxation could be admitted, as the temper and spirit of the nation were so much against concessions, that the administration, if it were their intention to propose any, could not carry them. A committee, consisting of Franklin, Jefferson, John Adams, and Richard Henry Lee, was appointed (July 22) to consider this plan. The European world could not show four greater statesmen. They agreed upon a report, prepared by Jefferson; and it was adopted in Congress on the 31st of July.

According to Lord North's plan, each colony was to enjoy exemption from all taxation, except duties for the regulation of commerce, as soon as its Assembly should make such provision for its proportion of the common defence and for the support of civil government as would be satisfactory to the King and Parliament. This offer was pronounced by Congress a high breach of the privilege of determining the purposes for which moneys should be granted. It was characterized as unreasonable, because it obliged the colonies to purchase the favor of Parliament without knowing the price; insidious, as likely to produce a division of the colonies, by grants to some of easy terms, and compelling others to renewed opposition, separate from their sister colonies; insulting, since the presence of fleets and armies seemed to present the proposition as addressed rather to their fears

[1] This plan was submitted on the 21st of July, 1775. It is in Sparks's Works of Franklin, v. 91.

than to their free determination; unnecessary, as the objects specified had been fully provided for in their character as freemen; unjust, as it required equality of contributions, while the monopoly of trade possessed by Great Britain cut them off from the commerce of the world; a violation of the plan of civil government within their own jurisdiction, which was suited to their circumstances, and which they claimed to enjoy without molestation as freely as the plan of civil government by Parliament was enjoyed within their jurisdiction; unsatisfactory, as the proposition was only a suspension of the existing mode of taxation, but not a renunciation of the right; and, what was of more importance than all, deceptive, being held up before the world to induce a belief that there was nothing in dispute but the levying of taxes, whereas the claim to alter the charters and establish the laws of the colonies was still persisted in, which would leave them without any security for their lives and liberties. In conclusion, Congress say, that nothing but their own exertions can defeat the ministerial scheme of death or abject submission.[1] In this remarkable answer, the United Colonies took the position which Franklin, in his last word to Lord North, assigned to Massachusetts, — deliberately choosing the hazards of war, rather than give up their ancient right of self-government. Thus they proceeded as though they were one nation dealing with another nation, when the ministry had resolved to deal with them only as separate units.

A second petition to the king was now agreed upon, through the efforts of a party represented by Dickinson and Jay, who had faith in its efficacy in procuring a redress of grievances. Those who lacked this faith considered the united coöperation of the colonies as the condition of success. The people had been far from being unanimous.

[1] This answer to Lord North's resolution was printed in the "Pennsylvania Evening Post" of Aug. 8, 1775. It is dated July 31, and signed by John Hancock, President. It is in every newspaper I have been able to consult.

[illegible] had opposed the Association. Numbers even [illegible] Whigs, though acquiescing in it as an instrument of self-[illegible], were reluctant to push it so far as to make it law: some, on the principle that it was a duty to submit to the sovereignty; many, from self-interest; the mass, for fear of the mischievous consequences.[1] Whigs of the stamp of Dickinson involuntarily shrank from the step of independence. It was alleged, that, if the proposed petition met with the fate of former petitions, the moderate, who thus far had held back, and had not taken sides, when they were convinced there was no hope but in war, would heartily unite in prosecuting it with efficiency.[2] The petition, drawn up by Dickinson, spoke in affectionate terms of the king, and expressed the wish that his lot might be the signal and lasting glory achieved by illustrious personages, who, in extricating states from dangerous convulsions, had erected noble monuments to their fame; it averred that the colonists entertained too tender a regard for the kingdom from which they derived their origin to ask such a reconciliation as might in any manner be inconsistent with its dignity or welfare; and it besought the king that he would be pleased to direct some mode by which the united applications of his faithful colonists to the throne, in pursuance of their common councils, might be improved into a happy and permanent reconciliation. It was signed by the members individually, as the previous petition had been, and was intrusted to the care of Richard Penn, a loyalist, who immediately sailed for England. It was composed with great elegance, and, Gordon says, deserved to be written in letters of gold, for the sentiments it breathed toward the parent state.[3]

[1] Gordon, History of the American War, i. 426.

[2] The "Essex Gazette," July 21, 1775, has a letter from Philadelphia, dated July 6, which says: "The Congress have determined to petition the King once more, under this idea, that, if it should be rejected, those moderate people who now keep back will, when they find no hopes but in the success of a war, most heartily unite with us in prosecuting it effectively."

[3] Gordon, ii. 71. He says (ii. 32) that Dickinson labored hard to procure this second petition, and that the opposition occasioned strong debates. Sparks says

Congress, on the first day of August, adjourned to the 5th of September. The public prints stated that it had established postal communication from New Hampshire to Georgia, and appointed Franklin postmaster; had designated two persons to act as joint treasurers of the United Colonies, and taken the control of Indian affairs from the officers of the crown; but had made no other alteration of "the Continental Association" except to permit vessels bringing powder into the colonies to carry away merchandise. Only defensive measures were adopted. These were heartily welcomed. "You cannot conceive," one wrote, "what universal joy diffused itself through every breast, and triumph in every countenance, on publication of the glorious resolutions of the Continental Congress."[1] Moderation was then acceptable to the public mind. While the popular party throughout the colonies were determined to assert their rights, and to do this jointly, they involuntarily shrank from revolution, even when it was fairly upon them.

The loyalists, in their habit of ascribing to the patriots aims which were indignantly disavowed, charged that Congress, in this second petition, treated the king with "the fallacy, treachery, and deceit" which had characterized all its proceedings;[2] and history, constructed from their point of view, treats its course as a piece of dissimulation.[3] It is, however, certain that civil war, though it roused bitter hatred to the ministry, had not effaced the old affection for the mother country, and that the majority of the popular party still looked yearningly towards her. When the case was presented, that the next step must necessarily be revolution, with a separation of the empire into two peoples, with war between them as between two nations, the recoil in the

(Life of John Jay, i. 36) that the measure originated with Mr. Jay. Governor Penn, in his examination before the House of Lords, said that the petition had been considered as an olive branch, and he had been complimented by his friends as the messenger of peace. — Philadelphia Evening Post, Feb. 20, 1776.

[1] Connecticut Historical Society Collections, ii. 237.

[2] General Gage uses these words.

[3] Adolphus, History of England, ii. 234.

public mind was involuntary and powerful. This fidelity was honorable. One of the lessons of the late civil war is to make Americans more appreciative of the nature of national life, and of the profound sentiment of country; and they can now better understand the feelings of the founders of the Republic, when they were called upon to give up the old flag.

The theory that the popular leaders were playing a game of hypocrisy may be tested in the case of Washington, whose sterling patriotism was not more conspicuous than his irreproachable integrity. The New-York Provincial Congress, in an address to him (June 26, 1775), on his journey from Philadelphia to the American camp around Boston, say that accommodation with the mother country was "the fondest wish of each American soul." Washington, in reply, pledged his colleagues and himself to use every exertion to reëstablish peace and harmony. "When we assumed the soldier," he said, "we did not lay aside the citizen; and we shall most sincerely rejoice with you in that happy hour when the establishment of American liberty on the most firm and solid foundations shall enable us to return to our private stations, in the bosom of a free, peaceful, and happy country."[1] There was no incompatibility in the position of military leader of a great uprising with a desire to preserve the old political ties. When the Barons at Runnymede, surrounded by their armed retainers, wrested from King John the Great Charter, they meant not to renounce their allegiance, but simply to preserve the old government. Though an act of apparent rebellion, yet it was in the strictest sense an act of loyalty.[2] So the popular leaders, in their attitude of armed resistance, were loyal to what they conceived to be essential to American liberty. They were asserting the majesty of Constitutional Law

[1] The "London Chronicle" of Aug. 8, 1775, has the speech of the New-York Provincial Congress, and the reply of Washington, of the 26th of June, 1775.

[2] Maurice, in his "Social Morality," p. 183.

against those who would have destroyed it, and thus were more loyal to the Constitution than was George III. There is really no ground on which justly to question the sincerity of declarations like those of Congress and Washington. The condition of things at this interesting point of time was stated precisely in a letter written by Franklin, and read in the House of Commons. "If you flatter yourselves," he says, "with beating us into submission, you know neither the people nor the country. The Congress . . . will wait the result of their *last* petition."[1] The word italicized by Franklin was prophetic. The popular leaders said what they meant. They aimed at a redress of grievances; and the idea was quite general, of a Bill of Rights, or an American Constitution, embodying the conditions on which the integrity of the empire might be preserved. This was their last appeal for a settlement on such a basis. The Tory judgment on their course in again petitioning the king is tinctured with the injustice of this school in regard to the spirit and aim of the popular party and the integrity and sincerity of its leaders.[2]

It was now said that "several colonies continued to be much embarrassed between their respect for their old form of government and its officers and their regard for their freedom and the rights of human nature, which it had been long the avowed object of these forms and officers to abolish."[3]

[1] Sparks's Works of Franklin, viii. 161. Sparks states that the letter, dated Oct. 3, 1775, was probably addressed to David Hartley, and was first printed in Vaughan's edition of Franklin's Works. Hartley was a member of the House of Commons, and read the letter in this body in 1775, a few days after receiving it; and again used it in his speech of Dec. 5, 1777, which was printed in the "London General Advertiser," Jan. 23, 1778. In this speech he remarked as to the first reading: "You were then confident of having America under your feet, and despised every proposition recommending peace and lenient measures."

[2] Rives's Life of Madison, i. 109.

[3] The "Essex Gazette," July 21, 1775, under the date of New York, July 13, has the following: —

"The people of Virginia and some other American colonies continue to be much embarrassed between their respect to the ancient form of government, and officers which according to those forms were appointed to the administration of public

The New-York Provincial Congress declined to refuse supplies to the British army: at the same time the mayor of New-York city and the Committee of Safety earnestly desired Governor Tryon to continue his residence there, and he freely visited the Continental camp of General Wooster, making inquiries as to the numbers of the men and their arms.[1] The North-Carolina Provincial Congress pronounced it cruel to assert that they desired to cut off their connection with Great Britain. The South-Carolina committee informed Governor Campbell that they would insure to him the respect which they ever wished to show to the representative of their sovereign. Governors Dunmore of Virginia, Eden of Maryland, Franklin of New Jersey, and Penn of Pennsylvania were recognized in their official capacity. Papers from several of these loyal officials, ending "God save the king," appear in the public prints by the side of the details of the progress of hostilities.[2]

It was regarded as important to confine the war to Massa-

affairs, and their regard to their own freedom and the most important rights and privileges of human nature, which it has long been the avowed business of these forms and officers to take away and abolish. Instead of trying and punishing these officers as traitors against the Constitution, the most horrid of all traitors, the respect shown them, and the attempts made to reconcile natural inconsistencies, are truly ridiculous, at the same time that they obstruct and have the most pernicious effect on public affairs. Lord Dunmore still continues to injure and insult the people of Virginia with impunity."

[1] Connecticut Historical Collections, ii 278.

[2] The Governor of Virginia having taken up quarters on board a man-of-war, the Council and House of Burgesses, June 23, 1775, in a joint address, besought him to return to the capital. (Pennsylvania Evening Post, July 18.) A Proclamation of John Penn, Governor of Pennsylvania and Delaware, Oct. 5, 1775, ends with "God save the king." (Ibid., Oct. 10, 1775.) The correspondence between Governor Tryon and Mayor Hicks and the committee of New York is in the "Pennsylvania Evening Post" of Oct. 21, 1775; and that between Governor Campbell and the general committee of South Carolina, in the issue of Nov. 2, 1775. The letter of the committee is signed by Henry Laurens. The North-Carolina Provincial Congress, consisting of delegates from forty-four counties and towns, in an address, on Sept. 8, 1775, say: "We have been told that independence is our object: that we seek to shake off all connection with the parent State. Cruel suggestion! Do not all our professions, all our actions, uniformly contradict this?" Mecklenburg County was represented in this congress, and among the delegates two are named as having been present, May 20, 1775, when the alleged Declaration of Independence of this county was adopted. — Force's Archives, 4th Series, iii. 201.

chusetts, the operations in Canada being considered merely defensive. The great scene of the battle of Bunker Hill, with the sacrifice of Warren, lent its varied influence to the cause. It was a revelation of character that was felt throughout the war. It demonstrated that Americans would fight. While the battle was going on, a messenger arrived in the camp with the news that Congress had adopted the army, — had even ordered the purchase of military supplies to be paid for out of the continental treasury, which, however, was directed to be kept secret. This messenger was also the bearer of the advice to Massachusetts to use the old charter. Though a disappointment to the patriots, who desired to form a government worthy of freemen, they nevertheless complied with the advice, therein exhibiting a spirit of subordination of the local feeling to the judgment of Congress characteristic of the time. "We are all submissive," wrote James Warren. A government was soon established.

Congress reassembled on the 5th of September; but so few of the members appeared that it adjourned to the 13th, when it proceeded to business. The colony of Georgia was now fully represented. Its Provincial Congress, in declaring that all men were born free and equal and were entitled to the natural rights of mankind, accepted an idea thoroughly identified with the American cause; and, in adopting the Association, it complied with the condition of admission to the Union. Its delegates differed widely in their politics. Noble Wimberly Jones had rendered large service to the cause, and continued its steadfast supporter; the Reverend Dr. Zubly looked upon a republican government as little better than a government of devils,[1] and soon found his proper place in the ranks of the loyalists. From this period the Union was called "The Thirteen United Colonies."

Congress was anxiously waiting the fate of its second petition. Much was thought to depend on this. The key to

[1] Works of John Adams, ii. 469.

the action of the popular leaders down to this time is Union [1] they aimed at such measures as would secure the coöperation of the people of thirteen colonies — it was hoped more than thirteen — in efforts to obtain a redress of grievances. Seemingly, the course of Congress was marked by hesitation and vacillation: one day a measure would be pressed, in order to the more vigorous prosecution of the war; the next day it was urged that nothing should be done to widen the breach.[2] Its debates concerned the important matters of forming local governments, creating a navy, opening the ports, dealing with the Tories, entering into foreign alliances, and declaring independence. It was the talk of Samuel Adams in private (September 24), that, if the "second petition to the king were rejected or neglected, or not answered and answered favorably, he would be for acting against Britain or Britons, as in open war against France or Frenchmen,—fit privateers, and take their ships anywhere."[3]

In the course of the debates in Congress, Thomas Johnson of Maryland said (October 6) that he saw every day less and less prospect of reconciliation, but that he was not yet ready to render reconciliation impossible, for he dreaded the effect of such a stand on North Carolina, Maryland, Virginia, Pennsylvania, and New York. "If," said he, "what we have done had been proposed two years ago, four colonies would not have been for it": in sixteen months thirteen colonies had been brought to the position of armed resistance to the claims of Great Britain; hence, he concluded "the line we have pursued is the line we ought to have pursued."[4]

[1] John Adams says, in the number of Novanglus in the "Essex Gazette" of Feb. 28, 1775: "The grand aphorism of the policy of the Whigs has been to unite the people of America and divide those of Great Britain. The reverse of this has been the maxim of the Tories: viz., to unite the people of Great Britain and divide those of America. All the movements, marches, and counter-marches of both parties, on both sides of the Atlantic, may be reduced to the one or the other of these rules."

[2] Letter of Samuel Ward, Life, p. 324.

[3] Works of John Adams, ii. 428.

[4] Ibid., 459.

The simultaneous manifestations in various quarters of the state of the public mind on the subject of independence illustrate the force of this remark. In Hanover County, Virginia, a person who had said that the country aimed at independence more than opposition to Parliamentary taxation, was compelled by the county committee to confess his sorrow for such an offence.[1] In Pennsylvania, the committee of Chester County being charged with aiming at independence, they declared that they held in horror so pernicious an idea.[2] In South Carolina, the Provincial Congress instructed its delegates to refuse their consent to any plan of confederation. In North Carolina, the Assembly, the County Convention, and the Provincial Congress averred, with fervent expressions of loyalty, that reconciliation was their object; and the Provincial Congress, after all the members had (Aug. 23, 1775) signed a test containing a declaration of allegiance to the king, voted (September 4) that the plan of a general confederation "was not at present eligible," but that "the present Association ought to be relied upon for bringing about a reconciliation with the parent state."[3] It certainly was the part of wisdom in the Congress to heed public opinion and to wait. A high authority expresses the judgment that "nothing could have been wiser, at that time, than moderation."[4]

There was a pressure on Congress to authorize the formation of local governments. A request of this nature was presented from New Hampshire, which was experiencing the intolerable evils of an absence of authority, and asked permission "to regulate its internal police." The two delegates in Congress (October 2) suggested, in a joint letter to Matthew Thornton, that the convulsed state of the colony should be represented to Franklin, Lynch, and Harrison, a committee appointed to visit the camp around Boston, and the absolute

[1] Force's Archives, 4th Series, iii. 744.
[2] Ibid., 774. This was Sept. 25, 1775.
[3] Ibid., 186. This was Aug. 24, 1775.
[4] Ramsay's History of the United States, i. 214.

necessity urged of forming a government; they likewise laid before Congress (October 18) their instructions on this point. Congress, however, hesitated to give the desired advice.[1] Another request of this nature came from beyond the Alleghanies. Pioneers, among them Daniel Boone, having satisfied the Indians for the territory now Kentucky, founded four towns, which elected representatives to a House of Delegates, who agreed on a form of government, and then, by a memorial to Congress, asked that their colony, Transylvania, might be admitted one of the United Colonies. The agent who bore this memorial gives at much length the details of his interviews with several of the members. He states the objection of the two Adamses. They held that there would be an impropriety in Congress engaging to protect a people who defied the king's proclamation; "for it would be looked upon as a confirmation of that independent spirit with which Congress was daily reproached."[2] Although no members were more decided on the question of independence, yet this statement is conclusive as to their views at this time. No measure was taken in October designed to alter the political situation of the colonies.

In the mean time Richard Penn hastened to England with the second petition. The king was now continually occupied with American affairs. He directed that General Gage should be ordered "instantly to come over" on account of

[1] It was not until the 26th of October that this subject was referred to a committee, consisting of Messrs. Rutledge, John Adams, Ward, Lee, and Sherman. On that day the New-Hampshire delegates wrote to their constituents: "We some time since made a motion for the regulation of our civil government, and this day a committee was appointed to consider the motion and report thereon. Could have wished that a petition from our Congress, setting forth all the reasons, had been transmitted us, which would have helped the matter much."

[2] The interview between Mr Hogg, the agent, and the Adamses, took place on the 24th of October. (John Adams's Works, ii. 430.) He says: "I showed them our memorial, to convince them that we did not pretend to throw off our allegiance to the king, but intended to acknowledge his sovereignty, whenever he should think us worthy of his regard. They were pleased with our memorial, and thought it very proper." This memorial is in Force's Archives, 4th Series, iv. 544.

the battle of Bunker Hill, thought Admiral Graves ought to be recalled from Boston "for doing nothing,"[1] and completed the arrangements for the employment of Hanoverians in America. Impatient at the delay of the Cabinet in acting on the proclamation agreed upon, he put this in train by ordering one to be framed, and submitted August 18 to Lord North, and fixed the day for its promulgation. He was confirmed in his extreme views by General Haldimand, fresh from America, who reported that "nothing but force could bring the colonies to reason," and that it would be dangerous to give ear to any propositions they might submit. The king was convinced that it would be better "totally to abandon" the colonies than "to admit a single shadow" of their doctrines.[2] Five days after penning these words, he issued (August 23) a proclamation for suppressing rebellion and sedition. It charged, that many subjects in divers parts of the colonies in North America, forgetting their allegiance, and after obstructing the lawful commerce of loyal subjects carrying it on, had proceeded to open and avowed rebellion, and that this rebellion had been promoted by the counsels of divers wicked and desperate persons within the realm of England; and commanded all civil and military officers, and all loyal subjects, to use their utmost endeavors to suppress this rebellion, and to give full information of all persons corresponding with the persons in arms in North America, in order to bring them to condign punishment. This proclamation, unlike Lord North's plan, ignored the

[1] Donne's Correspondence of George III., i. 257.

[2] Ibid., i. 263. Aug. 18, 1775, when the king wrote to Lord North: "There has been much delay in framing a proclamation declaring the conduct of the Americans rebellious, and warning persons from corresponding with them. . . . I have directed Lord Suffolk to have it shown to you." The king's words given in the text are from the letter. They were accurately stated in the "Philadelphia Evening Post" of Nov. 16, 1775: "A private letter, by Captain Collins, lately arrived from London, says that on the 19th of August General Haldimand was closeted with His Majesty two hours, giving him a state of the American colonies; and that, in the course of the conversation, His Majesty expressed his resolution in these memorable words: 'I am unalterably determined, at every hazard and at the risk of every consequence, to compel the colonies to absolute submission.'"

colonies as political units. It is levelled against individuals in rebellion, and all within the realm who should aid them. At that period, Burke wrote of the king, "Nothing can equal the ease, composure, and even gayety of the great disposer of all in this lower orb";[1] of his minister, "I am told by one who has lately seen Lord North, that he has never seen him or anybody else in higher spirits";[2] and that "the violent measures were fairly adopted by a majority of individuals of all ranks, professions, or occupations in this country."[3]

It was to such parties that Richard Penn tendered the American olive branch, or the second petition. He handed a copy of it to Lord Dartmouth on the 21st of August, and named the 23d as the day for the formal presentation of the original; but on that day the king issued his proclamation, which six days later was read by the heralds in Palace Yard, Westminster, and Temple Bar, — also at the Royal Exchange by one of the Lord Mayor's officers. On the first day of September Lord Dartmouth received the original petition, but Penn was not asked a single question relative to American affairs. The king would not see him. On being pressed for an answer, Lord Dartmouth replied, "that, as His Majesty did not receive the petition on the throne, no answer would be given." On the 22d he wrote to General Howe, who (Aug. 2, 1775) superseded General Gage as the commander of the British army, that there was "no room left for any other consideration but that of proceeding against the twelve associated colonies in all respects with the utmost rigor, as the open and avowed enemies of the state."[4]

Intelligence of the fate of the second petition reached America when the public mind was stirred by profound impulses, and "anxiety possessed every heart." It came

[1] Correspondence of Edmund Burke, ii. 41.
[2] Ibid., 38.
[3] Ibid., 68.
[4] Force's Archives, 4th Series, iii. 773.

by an arrival at Philadelphia on the 31st of October;[1] and the city newspapers of the next day contained the king's proclamation. They also had the statement, that ten thousand Hanoverians were about to join the British forces in America, and that the Elector of Hanover had a rescript from George III. for the subsidies to embark for their destination. And on this day an express from Washington supplied a lurid commentary on the king's proclamation, in the news of the burning of Falmouth. These were truly momentous advices, such as leave a mark in the progress of events.

Congress, through the month of October, had debated, in committee of the whole, the state of the United Colonies. On receiving the advices, members who had held back were ready to act with decision. "Thank God!" Samuel Ward, a member from Rhode Island, now wrote, "the happy day which I have long wished for is at length arrived: the Southern colonies no longer entertain jealousies of the Northern; they no longer look back to Great Britain." One member very jealous of New England, addressing him as Brother Rebel, said: "We have got a sufficient answer to our petition: I want nothing more, but am ready to declare ourselves independent." Ward continued: "My anxiety is at an end: I feel a calm, cheerful satisfaction in having one great and just object in view, and the means of obtaining it certainly, by the Divine blessing, in our hands."[2] Samuel Adams had now a majority with him ready to take a decisive and irrevocable step forward. This was the adoption, on the

[1] A paragraph in the newspapers, dated Philadelphia, November 1, announces the arrival of two vessels with advices from London to August 26, with the following: "It is reported that no answer has yet been given, nor will any be given, to the petition of the Continental Congress, as it is thought beneath the dignity of the government to acknowledge an assembly which has no constitutional or legal existence." This news was soon authenticated by a card having the signature of Charles Thomson, Secretary of Congress. The "Pennsylvania Journal" of November 1 printed the king's proclamation.

[2] Gammell's Life of Samuel Ward, 323. This letter bears date November 2. It says that the advices the two ships brought, naming the Proclamation, were of immense service to the patriots.

report of the committee[1] to whom had been referred the memorial of New Hampshire, of a recommendation (November 3) to the Provincial Convention of that colony, "to call a full and free representation of the people and the representatives, if they think it necessary, and establish such a form of government as in their judgment will best promote the happiness of the people, and most effectually secure peace and good order in the province during the continuance of the dispute between Great Britain and the colonies." A people are here recommended to exercise their inherent right of forming a government. The next day, Congress, on the report of the committee, gave similar advice to South Carolina, with the important addition of making provision for an army to defend the colony at "the continental expense." This was an earnest that the combined strength of the colonies should be used for their defence, — the germ of the provision in the Constitution which guaranties to every State protection and a republican government. The advice to these colonies gave the American interpretation to vital political principles, hitherto hardly more than abstractions. It was revolution, for it contemplated a change in the base of the sovereignty. Its friends so understood it, and were ready and anxious to make the recommendation general. Those who, in the hope of reconciliation, still hesitated, so regarded it, and pronounced it the first step towards independence. Indeed, the popular leaders of largest insight now shaped measures with a view to a Republic. Samuel Adams, the Palinurus of the Revolution,[2] — if there was one, — now wrote, as he labored in

[1] The report of the committee was made on the 2d of November. On the 3d Congress appointed a committee of five, — Messrs. Harrison, Bullock, Hooper, Chase, and Samuel Adams, — to take into consideration certain papers and letters relating to South Carolina.

[2] Jefferson said: "If there ever was *any* Palinurus to the Revolution, Samuel Adams was the man. Indeed, in the Eastern States, for a year or two after it began, he was truly the man of the Revolution." (Randall's Jefferson, i. 182.) Samuel Adams's letters, freely cited from time to time in the text, give his position in his own words. He was now urging on Congress the measure of independence. The memoir of

the committees, and as if under a spell of prophecy: "Every moment should be improved to some serious purpose. It is the age of George III.; and, to do justice to our most gracious king, I will affirm it is my opinion that his councils and administration will necessarily produce the grandest revolutions the world has ever seen. The wheels of Providence seem to be in their swiftest motion. Events succeed each other so rapidly, that the most industrious and able politicians can scarcely improve them to the full purposes for which they seem to be designed. You must send your best men here: therefore recall me from this service. Men of moderate abilities, especially when weakened by age, are not fit to be employed in founding empires." [1] This letter, writ-

him, written by James Sullivan, a Revolutionary patriot, and printed in the "Boston Chronicle," Oct. 10, 1803, has the following remark: "There is no doubt among his intimate friends, and indeed it is well known to his confidential compatriots, that he was the first man in America who contemplated a separation of the colonies from the mother country." A memoir of him by Samuel Adams Wells, MS., has the following: "It was thought during the Revolution, and it is still said, that he first conceived and dared to announce the grand design of independence. We believe this to be true; but the time when he had fully determined, and was willing to avow this opinion, is a question of some magnitude, and cannot be accurately determined." (p. 143.) A little further on (p 154), Mr. Wells says: "We doubt not that he went to the Congress of 1775, fully prepared for the adoption of that decisive measure." The sentiment expressed in his letters harmonizes perfectly with this view. He was then ready to advocate a step which down to the day of Lexington he was in the habit of disavowing privately and publicly, but which he had long thought the colonies would be forced to adopt by the aggressive policy of the British administration.

[1] This is taken from a letter dated Philadelphia, Nov. 4, 1775, addressed to James Warren, the President of the Massachusetts Provincial Congress. There are two letters of this date: one mentioning the vote on New Hampshire only, the other the vote on South Carolina also; probably the one being written in the morning and the other in the evening of this day. They have not been printed. The following are extracts:—

"I wish I was at liberty to communicate to you some of our proceedings; but I am restrained; and, though it is painful to me to keep secrets from a few confidential friends, I am resolved that I will not violate my honor. I may venture to tell you one of our resolutions, which, in the nature of it, must be immediately made public; and that is, to recommend to our sister colony, New Hampshire, to exercise government in such a form as they shall judge necessary for the preservation of peace and good order, during the continuance of the present contest with Britain. This I would not have you mention abroad till you see it published, or hear it publicly talked of. The government of the New-England colonies, I suppose, will soon be nearly on the same footing; and I am of opinion that it will not be long before every colony will see the necessity of setting up government within themselves, for reasons that appear to me to be obvious."

"I confess I am giving my friend as much information as I dare of things which are

ten on the morning after the vote relative to New Hampshire, and when the writer was maturing the thorough action with respect to South Carolina, and the letter just cited of Samuel Ward, who was on the committee who reported the advice to New Hampshire, penned on the day before this vote, reveal the inner springs of momentous political action, and the spirit in which the popular leaders crossed the Rubicon. In this action they accepted the fact and laid out the work of revolution. They no longer contemplated, in their aims and plans, a union in unnatural conformity with allegiance to the crown, but wholly an American union, identified with a new national power.

Congress now assumed a bolder tone, and went forward steadily, with great deference to the common statements, yet leading, not following, popular sentiment. In passing judgment on its measures, it ought to be borne in mind, that it had entered an untrodden field, which presented obstacles at every step onward, — but that the path it laid out, which was strictly kept to, at least at this early stage, led to the greatest political result in human history. Each successive step might not always have been the wisest; but, from the time it gave these vital recommendations to New Hampshire and South Carolina, it took no step backwards. It put forth no more disclaimers of a purpose of independence. It sought no longer to confine hostilities to Massachusetts. It was for war in earnest, —for offensive war, as though it were war against France and Frenchmen; and this was its injunction to the colonies. It advised (November 4) South Carolina to seize and destroy British ships-of-war, and to resist all attempts to occupy Charleston. It framed (November 9) a new pledge of secrecy, which each member was required to sign. It took steps (November

of such a nature as that they cannot long be kept secret, and therefore, I suppose, it never was intended they should be. I mention them, however, in confidence that you will not publish them. I wish I was at liberty to tell you many of the transactions of this body, but I am restrained by the ties of honor; and, though it is painful to me, you know, to keep secrets, I will not violate my honor to relieve myself or please my friend."

17) to create a naval code. It raised a committee (November 29) to correspond with foreign powers.[1] It declared (December 4) that it would be very dangerous to the welfare of America, if any colony separately should petition the King or Parliament; and the same day it advised the inhabitants of Virginia to resist by force the arbitrary measures of their governor, Lord Dunmore, and recommended its Convention to call a full and free representation of the people and form a local government. These votes are in marked contrast to the votes of the preceding June. There had been progress. The determined tone of Congress is seen in its answer to the king's proclamation. In this paper it was declared, in the name of the people of the colonies, and "by authority, according to the purest maxims of representation, derived from them," that the punishment that might be inflicted on the supporters of the cause of American liberty should be retaliated on the supporters of ministerial oppression.

The news that caused "the daybreak of revolution"[2] in Independence Hall produced a profound impression on the popular heart. The public prints abound with evidences of the rising spirit. One, on reading the "late most extraordinary proclamation," gave expression to his feelings in the following verses:—

"Rebels, — avaunt the inglorious name!
To those who burn with virtue's flame, —
The hero, whose undaunted soul
Spurns haughty B ——'s rude control,
And mocks the tyrant's nod.
Usurper, 'tis in vain thy sway:
True Courage deigns not to obey,
Or bow beneath the rod.

[1] Nov. 29, 1775. Resolved, "That a committee of five be appointed for the sole purpose of corresponding with our friends in Great Britain, Ireland, and other parts of the world, and that they lay their correspondence before Congress, when directed." Mr. Harrison, Dr. Franklin, Mr. Johnson, Mr. Dickinson, and Mr. Jay were appointed the committee. — Secret Journals, ii. 5.

[2] Bancroft, viii. 137.

> True Courage, roused by Honor's laws,
> Will perish in her country's cause;
> Her claim, the heaven-born rights which Freedom gave:
> Though worlds against her league, *she will not sink a slave.*" [1]

Every newspaper circulating these verses was an American minstrel stirring the blood by his song.

The idea of independence was now boldly advocated by the press. One wrote: "We expect soon to break off all connection with Britain, and to form a Grand Republic of the American United Colonies, which will by the blessing of Heaven soon work out our salvation, and perpetuate the liberties, increase the wealth, the power, and the glory of this Western World." [2] Another wrote: "When the throne of independence rises before the eyes of the admiring world, when our seas and our harbors are thronged with ships from the remotest corners of the earth, when our farmers are princes and our merchants kings, what conscious pleasure must be ours! And what praise shall be given us who are engaged in all the danger and heat of the day!" [3] The voices of the dead in the battle-fields, and the valor of the living, were summoned to nerve the people to worthy effort for the cause. A relation of the deeds of a lad of sixteen at Bunker Hill, who fired all his cartridges and then began afresh with the cartridges of a comrade slain at his side, closes,—

> "Dear Liberty! thou dost our youths inspire
> With more than Grecian, more than Roman fire."

Private letters evince the same resolute spirit. "The king's silly proclamation," wrote James Warren, "will put an end to petitioning: movements worthy your august body are expected, — a declaration of independence, and treaties with foreign powers." [4] Joseph Hawley wrote: "The eyes of all the continent are fastened on your body, to see whether

[1] Pennsylvania Evening Post, Nov. 16, 1775.
[2] Essex Gazette, Nov. 23, 1775.
[3] This is from a piece entitled "A Reverie," by a soldier, dated Dec. 11, 1775.
[4] James Warren to Samuel Adams, cited in Bancroft, viii. 136.

you on this occasion act with firmness and integrity, and with the spirit and despatch which our situation calls for. It is time for your body to fix on periodical annual elections, — nay, to form into a parliament of two houses."[1] Abigail Adams wrote: "I could not join to-day in the petitions of our worthy pastor for a reconciliation between our no longer parent state, but tyrant state, and these colonies. Let us separate."[2] George Mason expressed the feeling roused in Virginia, when, at a later day, reverting to these occurrences, he wrote: "When the last dutiful and humble petition from Congress received no other answer than declaring us rebels and out of the king's protection, I from that moment looked forward to a revolution and independence as the only means of salvation."[3]

The disclosures of opinion in the halls of Congress and among the people, together with the subsequent recollections of the actors in these events,[4] fix the time when the

[1] Joseph Hawley to Samuel Adams, Nov. 12, 1775. MS.

[2] Abigail Adams to John Adams, Nov. 12, 1775. Letters, 61.

[3] George Mason, Oct. 2, 1778, in Virginia Historical Register, vol. ii. 28.

[4] Sparks, in the valuable note entitled "American Independence," in the second volume of the Writings of Washington, says: "It is not easy to determine at what precise date the idea of independence was first entertained by the principal persons in America." (p. 496.) Samuel Adams, after the events of the 19th of April, 1775, was prepared to advocate it. (See p. 449.) Members of the Provincial Congress of New Hampshire were of the same opinion. (See p. 422.) President Dwight (Travels in New England and New York, i. 159) says: "In the month of July, 1775, I urged, in conversation with several gentlemen of great respectability, firm Whigs, and my intimate friends, the importance, and even the necessity, of a declaration of independence on the part of the colonies, . . . but found them disposed to give me and my arguments a hostile and contemptuous, instead of a cordial reception. . . . These gentlemen may be considered as the representatives of the great body of thinking men of this country." In the note of Sparks, just cited, are embodied the recollections of Madison, Jay, and others, and the contemporary statements of Franklin and Penn. They are in harmony with the statements and quotations in the text, and sustain the judgment of Dr. Ramsay (History of South Carolina, i. 164), who says: "Till the rejection of the second petition of Congress, a reconciliation with the mother country was the unanimous wish of Americans generally."

The "Massachusetts Spy" of Feb. 2, 1776, contains a piece entitled "Remarkable Events in the Year 1775." The twentieth and last is the following: —

"XX. The colonies at last were roused to a proper sense of the injuries they had sustained from the usurpations of the British Parliament, from the insolence of the

movement advanced from the simple aim of a redress of grievances. What Royal Instructions were to the organization of the popular party, what the Tea Act was to American union, what the Regulating Act was to association, the Proclamation was to revolution. Then the inspiring sentiment of union became identified with the still more inspiring sentiment of nationality. Then the popular leaders recognized the mission of that generation to found a republic. The thought lifted them up to the heights of their cause, strengthening their convictions of its justice, deepening the faith that they were co-workers with Providence, and investing their action with the highest moral dignity.

But, however great became the influence of the religious element over the minds of the popular leaders, it never led them into the extravagance of fanaticism. They kept in mind the fact that Providence works by human means. They estimated the magnitude of the task before them. It was easy to suggest an American commonwealth, or republic; it was not difficult to speculate on what might follow from the establishment of such a polity; it was pleasant to indulge in visions of the rising glory of America: but it was quite another thing to devise the means of achieving the grand object of these aspirations. It required great insight to determine the steps which the state of public opinion in thirteen different, and in many respects widely diverse, communities would sanction, bring them to act in concert, and thus reach the condition of success. A plan mentioned by some who were in favor of separation was for the people of the several colonies to abrogate all authority under the crown, and form local governments; then to agree on a Constitution for the United Colonies, and make foreign alliances; and then to issue a declaration of independence. It was urged that the people who established such governments would never

ministry, the obstinacy and bloody-mindedness of the king, and the inhumanity of their brethren in Great Britain; and began to . . . . as the only means that could secure peace, liberty, and safety to America."

give them up, but would range themselves permanently on the side of independence. The party who looked upon the measure of independence as ruinous, appreciated the strength of this movement, and sought to secure to their side the local Assemblies; and such for a time was their success, that six months elapsed before a majority in Congress would recommend all the colonies to abrogate the royal authority, or before the popular leaders could make independence a party question.

These six months constitute a great period in American history, and in the history of humanity. Then a free people, in the unrestrained exercise of its convictions on political affairs, moved steadily forward to the realization of the idea of an American Republic,— an idea which more and more impressed itself on their minds, and is recognized as great by the civilized world.

CHAPTER XI.

HOW THE PEOPLE OF THE UNITED COLONIES BY THE DECLARATION OF INDEPENDENCE DECREED THEIR EXISTENCE AS A NATION COMPOSED OF FREE AND INDEPENDENT STATES.

NOVEMBER AND DECEMBER, 1775, AND TO JULY, 1776.

THE course of events, after the popular leaders accepted the work of revolution, created a desire for independence and developed a sentiment of nationality; and when the colonies had agreed to join in dissolving the connection with Great Britain, and had so instructed their representatives, they, in Congress assembled, voted that these colonies were free and independent States, and by the Declaration of Independence announced to the world that they had assumed a separate station among the powers of the earth; whereupon the people, in public meetings and by their general assemblies, ratified the Declaration, and pledged themselves to maintain it with their fortunes and their lives. Thus they decreed their existence as a nation.

The king, in a speech from the throne (Oct. 26, 1775), declared that the war, on the part of the colonists, was "manifestly carried on for the establishment of an American empire," and stated, that, to put an end to the disorders in the colonies, he had increased the naval establishment and land forces, and was in treaty with foreign nations. He recommended the appointment of commissioners with large powers for the purpose of granting pardons to such of "the unhappy and deluded multitude" as might be convinced of their error by the display of arms.[1] The House of Lords, in their address in reply, heartily approved the decisive use

[1] The King's Speech is in the "Pennsylvania Evening Post" of Jan. 9, 1776.

of arms, yet could not sufficiently admire His Majesty's benevolent proposition relative to pardon. The House of Commons more than echoed the fierce words of the king in characterizing the colonial proceedings as the wicked pretences of ambitious and traitorous men, which had led unhappy fellow-subjects to set up the standard of rebellion; but they heard with gratitude "the declaration of the father of his people" of his design to pardon.

Important changes were made in the cabinet. Lord George Germain was appointed, in place of Lord Dartmouth, head of the American department. His speech on the penal measures [1] embodied the spirit of hostility to popular rights that animated the ruling classes. This important position was the reward. His single aim, as a legislator, had been to assimilate the policy of America to that of England; his single word, as minister, was force. He entered (Nov. 10, 1775) upon his duties at the very time when the people whom he would not have allowed to meddle with politics were advised by Congress to form governments. The other appointments which the king now made were of the class of violent men, haters of American ideas. His course, however, was popular. It was sustained by heavy majorities in Parliament, while public opinion was expressed in loyal addresses. "No arts," wrote Gibbon, "no management whatsoever, have been used to procure the addresses which fill the gazette." [2]

In the picture of the times, these extreme measures do not stand out in connection with the progress of events in America, in the relation of proximate cause and effect, with the distinctness of prior measures of the ministry; yet the popular leaders could hardly have spared one of the terrible denunciations of King, Lords, and Commons, or the appointment of the violent Lord Germain. They were all needed, and did good service in the patriot cause, as accounts of them

[1] See above, page 345.

[2] Gibbon's Miscellaneous Works, 270. Letter to J. Holroyd, Oct. 14, 1775.

circulated in the newspapers.[1] They found their way into the little towns in the forests beyond the Alleghanies, as well as into the flourishing municipalities along the Atlantic coast, — in which probably a far larger proportion of the people were taking an active part in politics than ever before, in any country, shared in the direction of public affairs. The key of their action was fidelity to the decisions of the General Congress. The work of this body may be summed up in a single sentence: while it accepted, after an American interpretation, the continuity of the body of English liberties, or of English constitutional law, it resisted the assimilation of American political life to the English model. In doing this, it said, "Our cause is just"; and it was pronounced a Christian duty to defend it.

Congress also said, "Our union is perfect"; and the remark was made in the face of differences of long standing between the colonies relative to jurisdiction, which even the common peril could not induce them to reconcile. New York and New Hampshire were on the verge of war about the territory now Vermont, and Connecticut and Pennsylvania about the Wyoming settlement; and Maryland and Virginia had sharp passages with regard to current politics.[2] Then there was the traditional jealousy of New England, which, if not general, was mischievous. The cause had also

[1] A captured despatch of Lord George Germain, dated Dec. 23, 1775, addressed to Governor Eden, of Maryland, was printed in the "Pennsylvania Evening Post" of April 23, 1776. It stated that an armament of seven regiments, and a fleet, were in readiness to operate in the Southern colonies.

[2] Galloway, in his "Candid Examination of the Mutual Claim of Great Britain and the Colonies," New York, 1775, urged that the colonies, "in respect to each other, are so many perfect and independent societies, destitute of any political connection"; and he seconded a motion made by Mr. Ross in the Congress of 1774, that Massachusetts "should be left to her own discretion with respect to government and justice." (John Adams's Works, ix. 349.) As to the controversies between the colonies, he says: "Disputes between Pennsylvania and Maryland began, and would have ended in civil war, had not the authority of the state interposed. Similar disputes have existed between New York and Connecticut, New York and New Jersey, and still subsist between New York and New Hampshire, Connecticut and Pennsylvania, and Pennsylvania and Virginia, all arising from the uncertainty of their boundaries and right to the soil."

a powerful internal enemy in the Tories, who denounced the Congress and its measures, and grew more arrogant, bitter, and bold, as they saw British armies and fleets appearing in America to fight on their side. And the popular party were very far from being agreed as to what should be the next step. In saying the union was perfect, therefore, Congress could mean only that the colonies were united in the determination to resist aggressions on their rights, and in demanding a redress of grievances.

Ten years had elapsed since the course of events developed a public opinion in favor of union, and one year since this opinion was embodied in a "Continental Association." The union, in common speech, was pronounced indissoluble. It attained the efficiency of organic life and system through the General Congress, and the local committees of safety, inspection, and correspondence. These committees were charged with important duties, and especially with the duty of securing an observance of the Association and the decrees of Congress. Hence, at this time, there had arisen what was termed the Government of Committees, universally regarded only as a bridge to carry the people safely over to the goal of regularly established authority.

It was said that Congress had "the supreme authority over the continent,"[1] and was "held in the highest veneration imaginable by all ranks and orders of men":[2] of course the Tories were an exception. The popular party regarded Congress as the public authority directing the general concerns of thirteen communities united to promote their general welfare, and especially for the national object of wielding the combined strength for the defence of their rights. It was proceeding, in external affairs, or in matters of peace and war, as though "The United Colonies" were one political power. A common banner waved over them.

[1] The Maryland Council, April 19, 1776. Force's Archives, 4th Series, iv. 983.

[2] Penn's evidence before the House of Lords, Nov. 10, 1776: in the "Pennsylvania Evening Post" of Feb. 20, 1776.

Thus the party stood on union, when union had become the portal of nationality.

This fact of union inspired the patriots with enthusiasm, as, with arms in their hands, and the conviction that their cause was just, they demanded of hitherto invincible England a redress of grievances. The military events down to November, 1775, strengthened their confidence in their ability to defend themselves; but the war from November to July proved of a more checkered cast. In Massachusetts, Washington won his first triumph in the revolutionary struggle in forcing the British army to evacuate Boston. In Virginia, the provincial militia were victorious (Dec. 9, 1775) in the famous battle of the Great Bridge. In North Carolina, the Tories were defeated (Feb. 27, 1776) in the hard fight at Moore's Creek. In South Carolina, a British fleet was repulsed (June 28, 1776) in an attack on Charleston; and Manly and his associates roused great exultation by captures (December, 1775) on the ocean. On the other hand, the brave Montgomery fell (Dec. 31, 1775) before Quebec. Dunmore burned Norfolk (January, 1776). Clinton invaded North Carolina. In New York, Carleton, in the flush of triumph, advanced (June) from Canada; and while the Indians sounded their war-whoop along the frontier, the Howes, with an army and fleet, approached the city. Hostile cannon almost within the hearing of Congress served as a reminder of the reality and nearness of the danger. The force which Washington had to meet these invasions was entirely inadequate; and at one time his immediate command was reduced to eight thousand men.

While these scenes of war were occurring, and the highest hopes were followed by the keenest disappointments, the popular leaders of clear vision pressed independence as the next and only worthy step. The measure was urged as necessary to insure permanency to the civil and religious institutions of the colonies, — as essential to their material prosperity, in order to secure fair scope for the industrial

energies of the land, — as vital to the expansion of American ideas over the continent, and to the creation of an opening for the spread of the Gospel, — as the only escape from tyranny, and the only guaranty of that government which is "an ordinance of Heaven to restrain the usurpations of wicked men, to secure to all the enjoyment of their natural rights, and to promote the highest political interests and happiness of society." It was urged that independence "was the path of empire, glory, liberty, and peace,"[1] and that labor in such a cause was labor on the side of Providence. "The Almighty," said Chief-Justice Drayton, of South Carolina, from the bench, "created America to be independent of Great Britain: to refuse our labors in this divine work is to refuse to be a great, a free, a pious, and a happy people."[2]

This citation illustrates the way in which a sentiment of nationality instinctively mingled in political utterances with the idea of independence, — or the idea that the colonies ought not only to cast off the authority of Great Britain, but to be a political unit, a nation. This sentiment was ministered to by the physical characteristics of the country: a vast, connected, and fertile land; the absence of impassable barriers between the several sections; a climate uniting the productions of the torrid and the temperate zones; majestic rivers inviting inland communication; an imperial line of coast, stimulating maritime enterprise. As the thoughtful reflected on the resources of this magnificent country, it seemed to them that the Almighty had formed it for the abode of a people that should stand pre-eminent in the world. But their ideal of what should constitute a country was not simply hills and valleys, land and water, but spiritual things as well; and as they mused on the estab-

[1] The citations are from what purports to be an Address of an Honest, Sensible, and Spirited Farmer to an Assembly of his Neighbors, on entering the Continental Service, printed in the "Pennsylvania Journal" of Feb. 28, 1776, and copied into the "Boston Gazette" of March 25.

[2] Charge at the Court of General Sessions, April 23, 1776.

lishment upon a field like this of political liberty grounded in justice, — on the characteristics of the American race, — on the Christian idea of man that was moulding their institutions, — it seemed to them that human progress was about to receive a fresh impulse, "as if the New World was to surpass the Old, and the glory of human nature was to receive the highest perfection near the setting sun." In the inspiration of this thought of a glorious future, the popular leaders shaped and carried into effect measures having in view the founding of a republic. The ideal of the territory which the contemplated republic was to comprehend is seen in the common use of the term "continental"; the ideal of the cause is seen in the common remark that it was the cause of human nature. By utterances and action in harmony with these views, the sentiment of nationality became the spring and passion of the popular party. To trace its development is to trace the steps of a free people, when, with minds exalted by such views, they assumed the dignity and responsibility of decreeing themselves a nation.[1]

[1] The following extracts from elaborate articles in the newspapers give an idea of the high-toned political utterances of the period of the adoption of the Declaration, and of the first years of its maintenance.

"It is apparent that the Almighty Constructor of the Universe, having formed this continent of materials to compose a state pre-eminent in the world, is now making use of the tyranny of the British rulers as an instrument to fashion and arrange those materials for the end for which, in his wisdom, he had formed them." — William Henry Drayton, Chief Justice of South Carolina, Charge to the Court, April 23, 1776.

"A Soldier" writes: "The whole series of divine dispensations, from the infant days of our fathers in America, are big with importance in her favor, and point to something great and good. If we look round the world, and view the nations with their various connections, interests, and dependencies, we shall see innumerable causes at work in favor of this growing country: Nature and Art seem to labor, and as it were travail, in birth to bring forth some glorious events that will astonish mankind and form a bright era in the annals of time." — Independent Chronicle, Oct. 17, 1776.

"Look around the world, and you cannot find a country like this. Nature has been lavish of her bounties to America, as if the New World was to surpass the Old, and the glory of human nature was to receive its highest perfection near the setting sun. . . . America is more extensive in territory than all the states and kingdoms of Europe, is blessed with every climate, and situated for the commerce of the world; and, according to the best computations, in the course of one century the United

It is not easy to select and compress into a small space such facts from the voluminous records of this period as will mark the stages of the growth of public opinion in favor of independence. The argument for it, viewed under the brilliant light of success, seems to-day to have been of commanding power: yet it was urged long before a majority would pronounce in its favor; and, even at the last, unanimity on it was far from having been obtained. A final separation from Great Britain was opposed by the Tories in solid phalanx, in the conviction that it was sure to be ruinous; and they were strong in talent, character, social and official influence, and numbers. A large party in the Whig ranks, in the fear that anarchy would result from a change, were in favor of preserving the connection with the mother country, and down to the last moment they urged that the door of reconciliation was still open; another portion had reached the conviction that a separation must take place, and were in favor of it, but held that the time for it had not come: and both classes comprehended characters held by that generation deservedly in respect, and by posterity in veneration. Then numbers, who took no decisive part in the struggle, were lukewarm: and this class are never to be overlooked in practical politics, for they are apt to veer to the side which they hope or expect will prove the strongest, and so turn the scale. Then there was the disposition, especially in New York and the Southern colonies, to trust time to bring about a redress of grievances. It was much urged, also, that independence involved a landing in republicanism, as if to make this point clear were conclusive against the measure. Republican principles, since the Revolution, had been loaded with obloquy in England; and this feeling prevailed to no small extent in the colonies, particularly south of New England. It is scarcely just to

States will have sixty millions of people. No human mind can form an adequate idea of the millions whose happiness may depend on our virtue in this important crisis."—Boston Gazette, Feb. 10, 1777.

state the position of a party in the language of its opponents; but a Whig appeal in favor of independence gives the gist of the matter with which the journals teemed, stating the points urged against it in these words: "Intestine confusions, continual wars with each other, Republics, and Presbyterian governments compose the bugbear of the day; and the very name of them frightens people more than the whole force of Great Britain."

As the popular leaders urged a dissolution of the bonds that connected the people with a monarchy, they sought not only to form local governments, but to establish a general government with a limited range of powers, to execute certain functions necessary to all, — or to form ties that would unite the people in a permanent political society, and combine the strength of the whole for the common defence. It was a grave question, whether the two objects of independence and a general government should be pressed at the same time. Some urged that, first, the colonies should abrogate royal authority, set up local governments, establish a constitution for the whole, form an alliance with France, and then they might safely venture to issue a declaration of independence. They held that the people should organize a general government before decreeing themselves a nation. Others, not less convinced of the necessity of a general government, bent their energies to the single work of bringing about an abrogation of royal authority in the several colonies, and a joint declaration of independence, relying for success on the fact and the strength of union. They were in favor of decreeing themselves a nation, in the faith that a general government would follow in course.

Among the latter was Samuel Adams. He did not cease to urge a confederation; but after the reception of the king's proclamation, and the news of the fate of the second petition in November, he advocated a declaration of independence. In Congress, in private letters, and in the newspapers, he set forth this as the next step. This was the significance of

the recommendation which Congress gave to New Hampshire, South Carolina, and Virginia to form local governments. The advice was unaccompanied with any details as to methods, or any restrictions. It was looked upon as equivalent to revolution, and a step towards a declaration of independence.

This decisive step roused into activity the opponents of independence. Of these John Dickinson was by far the most prominent, one of the few popular leaders who had a colonial reputation of so much influence as to constitute him a power. He had faith in the rights and liberties to be enjoyed in union with the mother country, but looked with doubt and trembling at the future which a premature separation might bring. "The rescript to our petition," he said, "is written in blood. While we revere and love our country, her sword is opening our veins. France and Spain, if not other powers, long jealous of Britain's force and influence, will fall upon her, embarrassed with an exhausting civil war, and crush, or at least depress her; then turn their arms on these provinces, which must submit to wear their chains, or wade through seas of blood to a dear-bought and at best a frequently convulsed and precarious independence."[1] He regarded the step as premature. His course met the approval of the Quakers, who now put forth an address for peace when the very air was hot with war, and pleaded for the avoidance of all such measures as were likely to widen or perpetuate the breach with the parent state.[2] This influence was strong in Pennsylvania, Delaware, and New Jersey. In addition, there was the powerful element of the Proprietary interest, which sturdily resisted a change.

This compact body of conservatism now made itself felt. The Pennsylvania Assembly (Nov. 9, 1775), mainly through the instrumentality of Dickinson,[3] instructed its delegates

[1] Letter, April 29, 1775. Life of Arthur Lee, ii. 311.

[2] This "Address of the People called Quakers" is in the "Pennsylvania Packet" of Nov. 13, 1775.

[3] Reed's Life of Reed, i. 155.

in Congress to endeavor to restore harmony between Great Britain and her colonies, using this language: "We strictly enjoin you, that you, in behalf of this colony, dissent from and utterly reject any propositions, should such be made, that may cause or lead to a separation from our mother country, or a change of the form of this government." The Assembly of New Jersey, on the 28th of November, used nearly the same language, directing their delegates "not to give their assent to, but utterly to reject, any propositions, if such should be made, that may separate this colony from the mother country, or change the form of the government thereof." [1] The Maryland Convention, which assembled on the 7th of December, ordered a "Declaration" to be entered on their journals, which averred that the people of that province "never did nor do entertain any views or desires of independency," and as they considered their union with the mother country "their highest felicity, so would they view the fatal necessity of separating from her as a misfortune next to the greatest that can befall them." The New York Provincial Congress, on the 14th of December, declared that none of the people of that colony had withdrawn their allegiance, and that their turbulent state did not arise "from a desire to become independent of the British crown," but from "oppressive Acts," and "the hostile attempts of the ministry" to carry them into execution.[2] The Delaware

[1] Governor Franklin, of New Jersey, in a speech to the Assembly, Nov. 16, 1775, states that His Majesty's squadrons had orders to proceed against any town raising troops, &c., and adds: "As sentiments of independency are by some men of present consequence openly avowed, and essays are already appearing in the public papers to ridicule the people's fears of that horrid measure, and remove their aversion to republican government, it is high time every man should know what he has to expect." The General Assembly in reply said: "We know of no sentiments of independency that are by men of any consequence openly avowed; nor do we approve of any essays tending to encourage such a measure. We have already expressed our detestation of such opinions." Franklin's speech is in the "Pennsylvania Evening Post" of Nov. 18, 1775.

[2] The Provincial Congress of New York, on the 14th of December, 1775, —

"*Resolved*, That it is the opinion of this Congress that none of the people of this colony have withdrawn their allegiance from His Majesty.

"*Resolved*, That the supposed present turbulent state of this colony arises not from

Assembly instructed its delegates to promote reconciliation, and shared the feeling of Pennsylvania. Thus, to counteract the movement begun in Congress, the governments of the Middle Colonies were arrayed in solid phalanx against the measure of independence.

An address of the North-Carolina Provincial Congress now appeared in the newspapers, which disclaimed in earnest terms the design of independence, and invoked the Almighty to attest "that it was their most earnest wish and prayer to be restored, with the other united colonies, to the state in which they were placed before the year 1763";[1] also instructions of the town of Portsmouth, New Hampshire, to their delegates in the Provincial Congress (December 25), adverse to the formation of a local government, on the ground that it would furnish their enemies "with arguments to persuade the good people there that we are aiming at independency, which we totally disavow."

These expressions were in harmony with the past earnest avowals by individuals and public bodies, and especially with the declarations of the General Congress. An elaborate argument against separation, a little later, was fortified by an array of these disclaimers, representing that one-third of the inhabitants were on record in favor of reconciliation, without taking into account the disavowals of independence by Congress. These facts show how general the idea was that the popular party was opposing an administration, and not overturning a government.

Notwithstanding these disclaimers, the logic of events led directly to independence; and from the memorable nine-

the want of a proper attachment to our prince and the establishment of the illustrious House of Hanover, nor from a desire to become independent of the British crown, or a spirit of opposition to that just and equal rule to which, by the British Constitution, and our ancient and established form, we are subject; but solely from the inroads made on both by the oppressive Acts of the British Parliament, devised for enslaving His Majesty's liege subjects in the American colonies, and the hostile attempts of the ministry to carry these Acts into execution." — New York Constitutional Gazette, Dec. 16, 1775.

[1] The citation in the text is copied from the Address as printed in the "Pennsylvania Packet" of Dec. 4, 1775.

teenth of April the growth of the measure was steady. As early as October it was a favorite in the camp around Boston.[1] The press of New England then circulated glowing appeals in its support.[2] Before the close of the year the great step was more widely advocated. In North Carolina, a writer, criticising severely the action of the Pennsylvania Assembly, reasoned, that, "to become a happy, wealthy, powerful, and respectable people," it was necessary to declare "an immediate independency, and open the ports to every European power except Great Britain."[3] Almost simultaneously a writer in Massachusetts urged that "the concurring circumstances in divine Providence make it a present duty, for laying the foundations of well-being for many generations," that "The United Colonies" form themselves into "an independent constitution, or republic state."[4] One writer in Virginia argued that the time had come to cut the Gordian knot that bound the colonies to Great Britain,[5] and another recommended the formation of "what might be called the Constitution of the United English Colonies."

In the beginning of the memorable year seventeen hundred and seventy-six there was a public opinion in favor of independence in New England, and but little more than individual preferences for it in the Middle or Southern Colonies. On New Year's Day Washington for the first time unfurled the Flag of the Thirteen Stripes as the flag of the United Colonies. To array this flag, as the symbol of national power, against the far-famed banner of Saint George, involved great labor. It required time and patience to encourage the timid, to instruct the unenlightened, and above all to surmount prejudice. So deeply seated was the affection for the

[1] Dr. Jeremy Belknap visited the camp in October, and in his journal of the 19th says: "I found that the plan of independence was become a favorite point in the army, and that it was offensive to pray for the king." — Life, p. 92.

[2] See citations above, p. 452.

[3] A British American, Dec. 28, 1775, in Force's Archives, 4th Series, iv. 470.

[4] Johannes in Eremo, dated Jan. 1, 1776, in "Essex Gazette."

[5] Article in "Virginia Gazette" of January and "New-England Chronicle" of February 1.

mother country, that it required all the severe acts of war directed by an inexorable ministry and the fierce words from the throne to be made fully known throughout America, before the majority of the people could be persuaded to renounce their allegiance and assume the sovereignty.

Jefferson says that Samuel Adams was constantly holding caucuses of distinguished men, in which the measures to be pursued were generally determined upon, and their several parts were assigned to the actors who afterwards appeared in them;[1] but he does not give the dates of these consultations, or the names (with the exception of Richard Henry Lee) of the persons who attended them, nor tell precisely what was done there. He ascribed great influence to Samuel Adams in promoting the Revolution. His labors in the cause had been for years so unremitting, that it may be justly said of him, "His feet were ever in the stirrup, his lance ever in its rest." A goodly band were now with him in urging the measure of independence. A contemporary happily remarks: "For a nation to be born, it required all the mighty efforts of those bold, wise, and noble-minded statesmen who adorned this era in the annals of their country."[2]

The popular leaders who are found earliest identified with independence are Samuel Adams, John Adams, Joseph Hawley, Elbridge Gerry, James Sullivan, and James Warren, of Massachusetts; Matthew Thornton, of New Hampshire; Nathaniel Greene and Samuel Ward, of Rhode Island; Benjamin Rush and Benjamin Franklin, of Pennsylvania; Thomas McKean, of Delaware; Samuel Chase, of Maryland; Richard Henry Lee, George Wythe, Patrick Henry, Thomas Jefferson, and George Washington, of Virginia; Cornelius Harnett, of North Carolina; and Christopher Gadsden, of South Carolina. It is remarkable that the popular instinct kept so true to the cluster of Revolutionary statesmen. This remark is applicable not only to

[1] Randall's Life of Jefferson, i. 182.

[2] Eliot's Biographical Dictionary, 13.

the band of patriots just enumerated, but to others also whose names are household words. Through the entire struggle, the people sought out, held fast to, and rallied around greatness and virtue, and made these qualities subserve the public good. No outpourings of obloquy, no thickening peril, shook this noble trust. No gusts of feeling from temporary reverses moved them to seek new guides; but as dangers multiplied, confidence strengthened. And so it was that out of rare public virtue grew our great republican government.

One of the earliest advocates for a declaration of independence was Nathaniel Greene, a noble representative of the sentiment of the army around Boston. Besides previous suggestion, he wrote on the 4th of January: "Permit me to recommend from the sincerity of my heart, ready at all times to bleed in my country's cause, a declaration of independence, and call upon the world, and the great God who governs it, to witness the necessity, propriety, and rectitude thereof. My worthy friend, the interests of mankind hang upon that truly worthy body of which you are a member. You stand the representatives not of America only, but of the whole world, the friends of liberty and the supporters of the rights of human nature. How will posterity, millions yet unborn, bless the memory of those brave patriots who are now hastening the consummation of truth, freedom, and religion!"[1] Three days later (January 7) Samuel Adams, urging not only independence, but confederation, wrote: "It [confederation] is not dead, but sleepeth. While I am writing, an express has come in that the ships-of-war were cannonnading Norfolk. This will prevail more than a long train of reasoning to accomplish a confederation, and other matters which I know your heart as well as mine is much set upon."[2]

[1] Greene's entire letter, dated from the camp on Prospect Hill, and addressed to Samuel Ward, member of Congress, is in Force's Archives, 4th Series, iv. 572. He had written to William B. Greene, Dec. 20, 1775, "We are now driven to the necessity of making a declaration of independence."

[2] Letter to James Warren, MS.

On receiving the king's speech, he wrote: "The tyrant! his speech breathes the most malevolent spirit. . . . I have heard that he is his own minister: why, then, should we cast the odium of distressing mankind upon his minions? Guilt must lie at his door: divine vengeance will fall on his head."[1] On seeing the instructions of the town of Portsmouth, he wrote: "What have we to expect from Britain but chains and slavery? I hope we shall act the part which the great law of Nature points out. It is high time that we should assume that character which, I am sorry to find, the capital of your colony has publicly and expressly disavowed. It is my most fervent prayer to a mighty God that He would direct and prosper the councils of America, inspire her armies with true courage, . . . and lead them on to victory and triumph."[2] Washington soon urged shaking off the connection with Great Britain, using words "as clear as the sun in its meridian brightness."[3]

One of these pioneers, Benjamin Rush, a physician of culture and public spirit, was much pleased with a piece in favor of the abolition of slavery, written by Thomas Paine, an Englishman. Bred in a Quaker family, on being dismissed, at nearly forty years of age, from his office of exciseman, Paine emigrated to America. He arrived here in December, 1774, bearing a letter from Franklin, which procured him employment, first in the service of a bookseller, and soon after as editor of the "Pennsylvania Magazine." Imbued with the republican ideas of Milton and Sidney, though without the elevation of their reverence and Christian faith, he became convinced of the justice and greatness of the American cause, which, he said, "in a great measure was the cause of all mankind." Rush having

[1] Letter quoted by Bancroft, viii. 242.

[2] Letter to General James Sullivan, Jan. 12, 1776, MS. On the subject of the New-Hampshire instructions, Samuel Adams, Jan. 12 and 15, wrote to John Adams, who was then at Braintree, "I wish, if it be not too late, that you would write your sentiments," &c. — John Adams's Works, ix. 371.

[3] Sparks's Writings of Washington, iii. 286.

called on him, and suggested that he should prepare a work on separation, he forthwith began to write, and as he proceeded, read the sheets to his adviser: they were also submitted to Franklin and Samuel Adams. The work, at the further suggestion of Rush entitled "Common Sense,"[1] was published on the 9th of January, in a pamphlet of forty-four pages, announcing itself as "written by an Englishman," and "addressed to the inhabitants of America."

The matter is arranged under the four heads "Of the origin and design of government in general, with concise remarks on the English Constitution"; "Of monarchy and hereditary succession"; "Thoughts on the present state of military affairs"; and "Of the present ability of America, with some miscellaneous reflections." The portion on Government has little of permanent value, the glance at the English Constitution is superficial, and the attack on Monarchy is coarse. This division commences with affirming that mankind were originally equals in the order of creation. The treatment of the American question, under the two last heads, gave the pamphlet its celebrity.

The following selections from "Common Sense" may serve to show how it presented the American race, their union, their call to take independent rank as a nation, and their duty to establish a general government.

"I offer nothing more than simple facts, plain arguments, and common sense. The period of debate is closed. Arms, as the last recourse, decide the contest. The appeal was the choice of the king, and the continent hath accepted the challenge."

"The sun never shined on a cause of greater worth.

[1] Benjamin Rush to James Cheetham, July 17, 1809. Cheetham's Life of Paine, 34. Rush says: "I called upon Mr. Paine, and suggested to him the propriety of preparing our citizens for a perpetual separation of our country from Great Britain, by means of a work of such length as would obviate all the objections to it. He seized the idea with avidity, and immediately began his famous pamphlet in favor of that measure. He read the sheets to me at my house, as he composed them. I advised him to put them into the hands of Dr. Franklin, Samuel Adams, and the late Judge Wilson."

'Tis not the affair of a city, a county, a province, or a kingdom, but of a continent, — of at least one-eighth part of the habitable globe. 'Tis not the concern of a day, a year, or an age: posterity are virtually involved in the contest, and will be more or less affected, even to the end of time, by the proceedings now. Now is the seed-time of continental union, faith, and honor. The least fracture now will be like a name engraved with the point of a pin on the tender rind of a young oak: the wound will enlarge with the tree, and posterity read it in full-grown characters."

"By referring the matter from argument to arms, a new era for politics is struck, a new method of thinking has arisen. All plans, proposals, &c., prior to the 19th of April, — *i.e.*, to the commencement of hostilities, — are like the almanacs of the last year, which, though proper then, are superseded and useless now."

"Britain is the parent country, say some. Then the more shame for her conduct. Europe, not England, is the parent country of America. This New World hath been the asylum for the persecuted lovers of civil and religious liberty from every part of Europe. The same tyranny which drove the first emigrants from home pursues their descendants still. We claim brotherhood with every European Christian, and triumph in the generosity of the sentiment."

"I challenge the warmest advocate for reconciliation to shew a single advantage that this continent can reap by being connected with Great Britain. Everything that is right or reasonable pleads for separation. The blood of the slain, the weeping voice of Nature cries, 'Tis time to part. Even the distance at which the Almighty hath placed England and America is a strong and natural proof that the authority of the one over the other was never the design of Heaven. Men of passive tempers look somewhat lightly over the offences of Britain, and, still hoping for the best, are apt to call out, 'Come, come! we shall be friends again for all this.' But examine the passions and feelings of mankind,

bring the doctrine of reconciliation to the touchstone of Nature, and then tell me whether you can hereafter love, honor, and faithfully serve the power that hath carried fire and sword into your land? If you cannot do all these, then are you only deceiving yourselves, and by your delay bringing ruin on posterity. But if you say you can pass the violations over, then I ask, Hath your house been burnt? hath your property been destroyed before your face? have you lost a parent or child by their hands, and yourself the ruined and wretched survivor? If you have not, then you are not a judge of those who have. But if you have, and can still shake hands with the murderer, then are you unworthy the name of husband, father, friend, or lover; and, whatever may be your rank and title in life, you have the heart of a coward and the spirit of a sycophant. 'Tis not in the power of England or of Europe to conquer America, if she doth not conquer herself by delay and timidity. The present winter is worth an age, if rightly employed, — but if lost or neglected, the whole continent will partake of the misfortune."

"But the most powerful of all arguments is, that nothing but independence — *i.e.*, a continental form of government — can keep the peace of the continent, and preserve it inviolate from civil wars. The general temper of the colonies toward a British government will be like that of a youth who is nearly out of his time: they will care very little about her. And a government that cannot preserve the peace is no government at all. I have heard some men say that they dreaded independence, fearing that it would produce civil wars. The colonies have manifested such a spirit of good order and obedience to continental government as is sufficient to make every reasonable person easy and happy on that head. If there is any true cause for fear respecting independence, it is because no plan is yet laid down. As there is a peculiar delicacy from whom or in what manner this business must first arise, let a continental conference be held. Let their business be to frame a continental charter,

or charter of the United Colonies (answering to what is called the Magna Charta of England), fixing the number and manner of choosing members of Congress, members of Assembly, with their date of sitting, and drawing the line of business and jurisdiction between them; alway remembering that our strength and happiness is continental, not provincial; securing freedom and property to all men, and, above all things, the free exercise of religion according to the dictates of conscience."

"All men allow the measure, and vary only in their opinion of the time. The time hath found us. The general concurrence, the glorious union of all things, prove the fact. 'Tis not in numbers, but in unity, that our great strength lies; yet our present numbers are sufficient to repel the force of all the world. Debts we have none; and whatever we may contract on this account will serve as a glorious memento of our virtue. Can we but leave posterity with a settled form of government, an independent constitution of its own, the purchase at any price will be cheap. Nothing but continental authority can regulate continental matters. Youth is the seed-time of good habits, as well in nations as in individuals. It might be difficult, if not impossible, to form the continent into one government half a century hence. The vast variety of interests occasioned by an increase of trade and population would create confusion. Colony would be against colony. Each being able would scorn the other's assistance; and while the proud and foolish gloried in their little distinctions, the wise would lament that the union had not been formed before. Wherefore the present time is the true time to establish it. The present time, likewise, is that peculiar time which never happens to a nation but once in the time of forming itself into a government."

"Under our present denomination of British subjects," are the closing words, "we can neither be received nor heard abroad: the custom of all courts is against us, and will be

so until by an independence we take rank with other nations. These proceedings may at first appear strange and difficult, but, like all other steps which we have passed over, will in a little time become familiar and agreeable; and until independence is declared, the continent will feel itself like a man who continues putting off some unpleasant business from day to day, yet knows it must be done, hates to set about it, wishes it over, and is continually haunted with the thoughts of its necessity."

However crude may be the conception both of local and general constitutions, the presentation of the argument for independence was strong. The author wrote in a plain and nervous style, and used homely and even coarse illustrations. He had a genius for handling the "torch for burning," and there is a wild fire in his work. It was read by a people prepared to listen to a plea addressed through their lacerated feelings to their manhood. Never was a political appeal more generally welcomed or more cordially indorsed. Edition upon edition was called for. "It did wonders, worked miracles." "Thousands," says Ramsay, "were converted by it, and were led to long for a separation from the mother country."[1]

[1] "Common Sense, written by an Englishman," was advertised in the "Pennsylvania Evening Post" of Jan. 9, 1776, as published that day by Robert Bell, Third Street, Philadelphia. On the 20th Bell advertised a new edition, in subsequent advertisements termed the second. The words "written by an Englishman" are left out in this edition. On the 17th of February he announced "Additions to Common Sense," on the 20th advertised as "Large Additions." Two of these, signed "Candidus" and "Sincerus," were written by Samuel Adams, and copied from the newspapers. The third edition, also printed by Bell, has the following title-page: "Common Sense: with the Whole Appendix: the Address to the Quakers: also the Large Additions, and a Dialogue between the Ghost of General Montgomery just arrived from the Elysian Fields and an American Delegate, in a Wood near Philadelphia, on the Grand Subject of American Independency. Philadelphia. Sold by R. Bell, 1776." pp. 147. The Dialogue at the end makes sixteen pages, and is furnished with a separate title-page which serves also for a cover to this piece in a separate pamphlet.

Meantime, on the 25th of January W. & T. Bradford announce the preparation of a new edition of "Common Sense," "with large and interesting additions by the Author, as will be expressed at the time of publication, among which will be a seasonable and friendly admonition to the people called Quakers." They state that

The great question was now discussed at every fireside, and the favorite toast at every dinner-table was, "May the independent principles of 'Common Sense' be confirmed throughout the United Colonies."[1] It was pronounced over the remains of Warren, that his spirit forbade a continuance of the connection with a country which had forfeited every claim of kindred.[2] It was declared as the voice of Montgomery, that God did not awaken the attention of all Europe, of the whole world, nay, of angels themselves, to the present controversy, without a purpose; that the country teemed with patriots, heroes, and legislators impatient to burst into light, and that the decree had gone forth that Great Britain and America were distinct empires.[3] It was said to a people trained under Christian influences, who

"several hundreds are already bespoke, one thousand for Virginia"; also that a German edition was in press. This advertisement had a card, addressed "To the Public," stating that the publisher of the first edition was expressly directed by the author not to proceed to issue a new one. This was the beginning of an angry paper war between the two parties. On the 20th of February the edition announced by Bradford was advertised as follows: "The new edition of 'Common Sense,' with additions and improvements in the body of the work: to which is added an appendix and an address to the people called Quakers. N.B. The additions which are here given amount to upwards of one-third of any former edition." This is a pamphlet of fifty pages. It has the following P.S.: "The publication of this new edition hath been delayed, with a view of taking notice (had it been necessary) of any attempt to refute the doctrine of Independence. As no answer hath yet appeared, it is now presumed that none will; the time needful for getting such a performance ready for the public being considerably past. Who the author of this production is is wholly unnecessary to the public, as the object of attention is the doctrine, not the man. Yet it may not be unnecessary to say, that he is unconnected with any party, and under no sort of influence, public or private, but the influence of reason and principle." Philadelphia, Feb. 14, 1776. An answer, "Plain Truth," was advertised in the "Pennsylvania Evening Post" of March 14.

"Common Sense" was reprinted, in 1776, in Boston, Salem, Newburyport, Providence, Newport, Norwich, New York, Charleston, copies of these several editions being still extant in libraries in Massachusetts. It was probably reprinted in other places. It was reprinted in London, and extracts from it are in the "London Chronicle" of May 30, 1776. The Additions also were reprinted, and one side of the issue of that journal of June 29 is filled with extracts from them. It was printed in 1776 in Edinburgh. In 1792, an edition in London is called the ninth. It was reprinted in 1817. Chasms occur in the English editions, as the reflections on the king and government could not have been printed without hazard. It was reprinted likewise in France.

[1] New-England Chronicle.

[2] Oration by Perez Morton, April 8, 1776.

[3] Paine's Dialogue.

habitually looked upward in every form of supplication, that the spirit which actuated the United Colonies "was as much from God as the descent of the Holy Ghost on the day of Pentecost, and was introductory to something great and good to mankind."[1]

The issue was of a nature to rouse passion, alarm wealth, and stir society to its depths. In each colony, the friends and opponents of independence, animated at times by intemperate as well as by judicious zeal, hurled against each other the usual weapons of partisan strife, poisoned by the hatred and revenge engendered by civil war. With the Whigs it was not yet a test question, and they were divided on it: while the political leaders advocating it were uniformly veterans in their ranks. The Tories, of course, vehemently opposed independence; while Whigs, held in the highest regard took the character of conservatives, and were recognized by those of the opposite party as their leaders on this question. These strange affinities, and the fearful rising of the political waves, became a source of painful anxiety. Washington expressed deep concern lest the prevailing divisions and parties should prove the ruin of the American cause.[2] The divisions, however, were not geographical. They did not grow out of provincial or temporary questions. They concerned the rights of human nature, as well as the question of American independence, and formed the basis for a noble homogeneity; and the intermingling in each of the thirteen colonies of the adherents of two great parties, devoted to the cause they mutually supported, and placing its fortunes uppermost, served to lift their thoughts and affections from things merely provincial, to concentrate

[1] Article in the "New-England Chronicle."

[2] Letter to Joseph Reed, April 15, 1776. He writes: "I am exceedingly concerned to hear of the divisions and parties which prevail with you, and in the Southern colonies, on the score of independence. . . . Nothing but disunion can hurt our cause. This will ruin it, if great prudence, temper, and moderation are not mixed in our councils, and made the governing principle of the contending parties." — Sparks's Washington, iii. 357.

them on vital ideas, and to unite them in the bonds of a common sentiment and object. In the case of the Whigs, the very intensity of the feeling on so grand an issue as independence, tended to ennoble and strengthen their union. "The Republicans are the nation," remarked Jefferson; and this may be designated as the period during which a people of living faith in the republican idea were determining to be a nation.

The contemporary authorities relating to the growth of the national sentiment become now of peculiar interest. I have examined much of this material in manuscript and in print. I have not met, down to this date, the proposal by a Whig to decree the existence of thirteen nations, or to seek refuge in a monarchy or in imperialism, much less to hawk about an offer of American sovereignty among foreign powers.[1] The purpose uniformly expressed is, to rely on the resolution and virtue of thirteen free communities, their power if united, and their ability to bind their union with the cement of law and government.

A few citations may serve to show the political aim and tone. In by far the most famous publication of the time, "Common Sense," it was urged that nothing short of a continental government could insure domestic peace; and this publication was indorsed by zealous Whigs from Massachusetts to the Carolinas.[2] A New-York writer, in enforcing

[1] Governor Pownal, Dec. 2, 1777, in a speech in the House of Commons, said of the Americans: "They are determined to maintain their independence at all events. The Dutch, in their distress, hawked about the offer of the sovereignty of their country. They offered it to the Duke of Anjou, they offered it to Henry the Third of France, they offered it to Elizabeth of England; but the Americans will never offer that of their country to any power on earth." This was printed in the "London General Advertiser," Dec. 6, 1777.

[2] A note on page 476 contains statements relating to the editions of "Common Sense." The evidence of its effect is abundant. A few extracts will show how it was received in different sections of the country: —

"New-England Chronicle," of March 28, 1776, copies the appendix to "Common Sense," written by Paine, with the following remarks: "The public in general having read, and (excepting a few timid Whigs and disguised Tories) loudly applauded that truly excellent pamphlet, entitled 'Common Sense,' our readers will doubtless be pleased with the following appendix," &c. The "Boston Gazette,"

the importance of establishing government local and general, regarded the internal polity of the colonies so different, that uniformity among them in this matter could not be expected; "though," he said, "it would be happy if they might agree in all essential particulars, as it would tend to cement their union and make them coalesce as one continental body politic." And he urged that each colony should be left to form its own internal polity, but that there should be "a solemn stipulation or confederation of all the colonies, to endure until time shall be no more."[1] A Virginian reasoned that, unless Great Britain repealed the obnoxious acts and reimbursed America for her losses, the war ought to go on until the colonies were acknowledged a free and independent republic.[2] One member of the convention of this colony argued that, if any government were formed, it should be the best that could be obtained;[3] another, that

April 29, 1776, has the following: "Had the spirit of prophecy directed the birth of a publication, it could not have fallen upon a more fortunate period than the time in which 'Common Sense' made its appearance. The minds of men are now swallowed up in attention to an object the most momentous and important that ever yet employed the deliberations of a people."

New York, March 22. "A pamphlet entitled 'Common Sense' has converted thousands to independence that could not endure the idea before." — Almon's Remembrancer, iii. 87. It is stated in the "New-York Gazette," April 8, that "the subject of conversation throughout America for these few weeks past hath been excited by a pamphlet called 'Common Sense.'"

A Philadelphia letter of March 12 says: "'Common Sense' is read to all ranks; and as many as read, so many become converted; though perhaps the hour before were most violent against the least idea of independence." — Almon's Remembrancer, iii. 31.

The "Pennsylvania Evening Post" of Feb. 13, 1776, contains a letter from Maryland, dated February 6, which says: "If you know the author of 'Common Sense,' tell him he has done wonders and worked miracles, made Tories Whigs, and washed blackamores white. He has made a great number of converts here." The same paper of March 26 contains a letter dated Charleston, February 14, which says: "Who is the author of 'Common Sense'? I can scarce refrain from adoring him. He deserves a statue of gold." A letter dated Georgetown, South Carolina, March 17, 1776, says: "'Common Sense' hath made independents of the majority of the country, and Gadsden is as mad with it as he ever was without it." — Proceedings of Massachusetts Historical Society, 1869, 1870, 254.

[1] This essay is dated March 21, 1776. Force's American Archives, 4th Series, v. 450.

[2] A planter, April 6, 1776. Ibid., 798.

[3] Letter dated Feb. 25, 1776, he writes: "Some people among us seem alarmed

a uniform plan prepared by Congress and approved by the colonies "would be a surer foundation for harmony than for each colony to form its own government."[1] A Connecticut writer said, that an American state or empire was much talked of, which was to be formed of colonies heretofore independent of each other; and was in favor of a "confederation, covenant, or compact," limiting "the power of their head or congress," without infringing the rights of any. He thought that with a declaration of independence, such a covenant would be as necessary as their political existence.[2] A Philadelphia writer, in an elaborate essay, averred that the true principles of republicanism were so well understood, and the mode of conducting such government so simple, and America so fit for its reception, that it would be easy to form a plan for the United Colonies which "would as much exceed any now existing as the British Constitution does that of Caffraria;" and he could not help cherishing a secret hope that "God had destined America to form the last and best plan that could possibly exist, and that He would gradually carry those who had been long under the galling yoke of tyranny in every other quarter of the globe into the bosom of perfect liberty and freedom in America."[3]

Franklin alone of the popular leaders submitted to Congress a plan for a confederation.[4] Others, however, ex-

at the idea of independence, while they support measures and propose plans that comprehend the spirit of it. . . . Are we not criminal in the sight of Britain for what we have done. . . . If we institute any government, let it be the best we can. We shall as certainly be hanged for a bad as for a good one; for they will allow nothing for the waverings of filial tenderness." — Pennsylvania Journal, April 3, 1776.

[1] Richard Lee. John Adams's Works, ix. 374.

[2] This essay is dated May 9, 1776. Force's Archives, 4th Series, vi. 399.

[3] The citations are from an elaborate article addressed "To the People of North America on the Different Kinds of Government," in the "Pennsylvania Journal" of March 13, 1776, signed "Salus Populi."

[4] Franklin in January endeavored to get a day fixed for the consideration of his plan, but he was opposed by Hooper and Dickinson, and they prevailed. — Bancroft, viii. 245. One side of the "Pennsylvania Evening Post" of March 5, 1776, is filled with "Proposals for a Confederation of the United Colonies." It contains seven articles. Taxation was to be levied by the assemblies. The colonies, by their assem-

pressed in general terms their convictions of the necessity of establishing a government. Samuel Adams was in favor of forming "one government with the consent of the whole, — a distinct state composed of all the colonies, with a common legislature for great and general purposes." John Adams stated, as the teaching of the school of Milton, the proposition that there was no good government but the republican; and he held that each colony ought to mould its own internal government, and that the colonies ought to form "a continental constitution for the whole." Joseph Hawley, in a series of noble letters addressed to members of the Congress, urged the formation of "an American supreme government wisely devised and designed, well established and settled," and suggested that there should be a legislature with two branches; remarking that "without such a government the colonies would be always like a rope of sand, but, with this well done, invincible." Patrick Henry was in favor of forming a confederation before making a declaration of independence; and John Dickinson persisted in maintaining that the formation of a general government, complete in all its parts, ought to precede an assumption by the people of their station among sovereigns.

The voluminous record thus glanced at, the anonymous utterances of the press, and the general views of distinguished leaders, may be said to embody the results of a discussion of fundamental politics covering fifteen years (1761–1776); for the intellectual life of the colonies during this period spent itself mainly on this noble theme. "There had been excited," a British historian remarks, "a spirit of inquiry and discussion into the rights of human nature and society at large, such as had never been exceeded, if ever

blies or conventions, were to ratify it before it should be valid. It is said, "The New-England colonies, by many years' experience, found great advantages by a confederation, in carrying on their wars with the Indians, in treating with neighboring colonies settled under other States, and in adjusting and settling matters among themselves." This is copied in the "Boston Gazette" of April 22.

equalled, in any country in Christendom."[1] The results of this discussion warrant the statement, that the conviction had become general, that the civilization which had been planted in America demanded for its future a common country; and that the sentiment of nationality and the ideal of a republican government were correlative in their development.

A pressure on Congress to make a declaration of independence began in November, soon after the circulation of the memorable proclamation of the king, declaring the patriots in rebellion; but a strong party opposed this step. They had John Dickinson as their most distinguished leader, who carried with him patriots of the juridical learning of James Wilson, the culture and purity of John Jay, the sturdy zeal of the Livingstons, and the noble integrity of Robert Morris. This party consisted of a few delegates from New England, the greater number from the Middle Colonies, and about half of the Southern delegation, including two delegates from Virginia. They, generally, looked upon the proposed step as premature; Morris averring that it would dissolve the Union. Wilson, on receiving the king's speech charging the Americans with aiming at independent empire, moved the appointment of a committee to frame an address to meet this allegation. The motion alarmed Samuel Adams. He succeeded in having the subject postponed, though he could not prevent a day being assigned to consider it.[2] Wilson was not opposed to independence, but desired that the public mind should first become ripe for it, and that the people should confer on their representatives the power to act on so great a question. He submitted (February 13) an address designed to prepare the way for a separation. "We deem it an honor," are its words, "to have raised troops and collected a naval force, and, clothed with the authority of the people, from whom all legitimate authority proceeds, to have exercised legislative,

[1] Andrews's History of the War, ii. 183.
[2] Wells's Life of Samuel Adams, ii. 358.

executive, and judicial powers. . . Though an independent empire is not our wish, it may be the fate of our countrymen. . . . That the colonies may continue connected, as they have been, with Britain, is our second wish: our first is, that America may be free."[1] The majority of the members, however, were opposed to any disclaimer of separation, and in this probably reflected the public sentiment. The address was withdrawn. Eight days later Congress refused to pass a vote of thanks to Doctor Smith, the provost of the college in Philadelphia, for his eulogy on General Montgomery, because he represented Congress to be in favor of continuing in a state of dependence on Great Britain.[2] The party in favor of independence had Samuel Adams at their head. He had with him nearly all the New-England members, a few from the Middle Colonies, the greater number from Virginia, and one-half of the other Southern members.[3] This party received (February 9) an important accession in the election in Massachusetts of Elbridge Gerry in the place of Cushing. Gerry had long been a zealous, trustworthy, and efficient laborer in the cause at home, and in Congress he became a hearty co-worker with the Adamses, his life-long friends.

The journals of Congress, during the period from December to June, consist mainly of records of the military and financial transactions which the exigencies of the times required. The powers exercised were revolutionary in their nature. Among the measures adopted were certain high acts of sovereignty, considered essential to secure the object for which the Congress was called,— namely, the protection of American rights; and they were justified on the ground of necessity. These measures were in the spirit of independence, and led directly to it; but there is no allusion to this question in the journals.

[1] Rives's Life and Times of James Madison, ii. 282.

[2] Bancroft, viii. 315.

[3] Interesting statements relative to parties in Congress at this period may be found in the Life and Works of John Adams, i. 212.

Congress aimed to enlarge the Union. A committee — John Adams, George Wythe, and Roger Sherman — reported in favor of saying to the Canadians that, on joining the Union, "they might set up such a government as would most likely produce their happiness." This proposition was opposed by Jay and others on the ground that it was an independency. The report, however, was accepted.[1] Franklin, Samuel Chase, and Charles Carroll of Carrolton, — a bold and fearless patriot of large culture and independent fortune, not yet a member of Congress, — were appointed commissioners to proceed to Canada and communicate the invitation. Their instructions authorize a tender to the Canadians of the protection of the Union on the basis of an intercommunication of rights, civil and religious,[2] — an application of the principle of equality between the colonies in the Union, which was scrupulously recognized in the revolutionary period, and which became one of the fundamental principles of the American polity.

Congress ordered the Tories to be disarmed. Samuel Adams was zealous in urging this measure. The first action (January 6) was liberal, and to the effect that the honest and well-meaning, who had been misled by the arts of ministerial agents, ought to be treated with kindness and moderation; but that the unworthy, who, regardless of their duty to their Creator, their country and posterity, opposed the measures formed to preserve American liberty, ought to be disarmed, and the more dangerous be kept in close custody or to give sureties for their good behavior. Subsequently (March 14) the assemblies, conventions, and committees of safety were advised to disarm all persons who refused to associate for the defence of the United Colonies. The advice was

[1] Bancroft, viii. 319.

[2] The instructions are in the Journals of Congress under the date of March 20, 1776. The commissioners were directed to explain to the Canadians the method of the United Colonies "of collecting the sense of the people and conducting their affairs regularly."

resolutely followed. This measure, a statesman remarks, never received the attention it deserved.[1]

Congress authorized the equipment of privateers. Franklin thought that this measure ought to be preceded by a declaration of war, as of one independent nation against another;[2] but the majority were not ready for this stand. The declaration (March 23) which accompanied the resolves cited as a justification a recent Act of Parliament, forbidding all trade and commerce with the inhabitants of the United Colonies, and making their property when found upon the water liable to seizure. The resolves authorize the inhabitants to fit out armed vessels to cruise against their enemies, prescribe the forms of the commissions, provide for the establishment of admiralty courts and of rules for the distribution of prizes. In cases in the Supreme Court, growing out of captures under the commissions that were issued, the plea was made that there was no competent authority to issue these commissions; but the court ruled that the Congress had this power, because it was acquiesced in by the majority of the people in every colony.[3]

Congress ordered the ports to be thrown open to all nations. This policy was suggested very early in the struggle, was advocated in the press for years, and at length was formally proposed by the Virginia Convention. To-day it seems to have been obviously required: then nothing seems to have been more difficult. The lion in the path was

[1] Daniel Webster. Address before the New-York Historical Society, 1852, p. 41.

[2] Bancroft, viii. 320.

[3] The opinion of the Supreme Court (1795) in this case contains the following: —

"Congress was the general, supreme, and controlling council of the nation, the centre of union, the centre of force, and the sun of the political system. To determine what their powers were we must inquire what powers they exercised. Congress raised armies, fitted out a navy, received and sent ambassadors, and made treaties; Congress commissioned privateers to cruise against the enemy, directed what vessels should be liable to capture, and prescribed rules for the distribution of prizes. These high acts of sovereignty were submitted to, acquiesced in, and approved of, by the people of America. In Congress were vested, because by Congress were exercised with the approbation of the people, the rights and powers of war and peace." Penhallow *v.* Doane's Administrators, Curtis's Decisions, 1. 87.

attachment to the mother country and the vain hope of reconciliation, — the same sentiment that led to the fatal policy of short enlistments in the army. This fact appears in the debates. Harrison said: "They had hobbled along under a fatal attachment to Great Britain. I felt it," he said, "as much as any man, but I feel a stronger attachment to my country." Wythe, in referring to the idea of inviting foreigners to enter into treaties, asked: "In what character shall we treat? As subjects of Great Britain? As rebels? Why should we be so fond of calling ourselves dutiful subjects? If we should offer our trade to the court of France, would they take notice of it any more than if Bristol or Liverpool should offer theirs, while we profess to be subjects? No. We must declare ourselves a free people."[1] To open the ports was to strike a blow at British acts of navigation. It was to wound England in her sorest place. "Open your ports to foreigners," a member said: "your trade will become of so much consequence that foreigners will protect you." The sketch of the debate on this subject is meagre, but it is sufficient to show that the proposal was severely contested: though introduced into Congress on the 12th of January, it was not disposed of until the 6th of April. The result was embodied in a series of elaborate resolves. One provided that no slaves should be imported into the United Colonies; and another, that certain powers relative to trade, exercised by the local committees of inspection and safety, should cease.[2]

Congress dealt with foreign powers. In December their secret committee of correspondence addressed letters to Arthur Lee in London, and Charles Dumas at the Hague, requesting them to ascertain the disposition of European courts respecting America, enjoining great circumspection and secrecy.[3] They hoped the most favor from France.

[1] Works of John Adams, ii. 486.

[2] The Resolves of Congress, of April 6, signed "By order of Congress, John Hancock," were immediately printed.

[3] The Life of Arthur Lee (i. 53) contains the letter to Lee copied from the original

Some, however, were opposed to applying for aid to the ancient enemy of England. Their feeling was expressed in a declaration by Dr. Zubly, of Georgia. "A proposal," he said, "has been made to apply to France and Spain. I apprehend the man who would propose it [to his constituents] would be torn in pieces like De Witt."[1] Three months after these words were spoken in Congress, an emissary, M. de Bouvouloir, sent by Vergennes, appeared in Philadelphia, held secret conferences with the committee, and assured them that France was well disposed to aid the colonies on just and equitable conditions.[2] A few weeks later the committee appointed Silas Deane commercial agent for Europe, mainly to procure military supplies, but he was instructed (March 3) to say to Vergennes that "there was a great appearance that the colonies would come to a total separation;" that France was looked upon as the power whose friendship they would most desire to cultivate; and he was instructed to inquire whether, "if the colonies should be forced to form themselves into an independent state," France would acknowledge them as such and receive their ambassadors.[3] Here the committee, in the beginning of their intercourse with foreign nations, desired it to be understood that the colonies would treat as one political power, — an idea in harmony with the action of the colonies with regard to England.[4]

MSS. in the handwriting of Franklin. It is dated Dec. 12, 1775, and was signed by Franklin, Dickinson, and Jay.

[1] Works of John Adams, ii. 459.

[2] De Witt's Jefferson and The American Democracy, 388. This work, printed in 1862, contains abstracts of the correspondence between the French ministers, Duke de Choiseul and Count Vergennes, and the French diplomatic agents on American affairs. De Bouvouloir says that the committee met him at an appointed place after dark, each going to it by a different road.

[3] Sparks's Diplomatic Correspondence, ii. 5.

[4] Governor Dunmore, on board a British ship in Elizabeth River, addressed Jan. 27, 1776, a letter to Richard Corbin, tendering his services to Virginia "to procure, by any means that should be thought most advisable and honorable, permanent, speedy, and happy reconciliation between this colony and its parent state." Corbin referred this letter to the committee of safety, who returned an answer through Edmund Pendleton. Referring to the last petition of the Continental Congress, they say: "If

The growing feeling in favor of independence in Congress is indicated in a proclamation (March 16) appointing a day for a general fast. They invoked Almighty God "to bless their civil rulers and the representatives of the people in their several assemblies and conventions, to preserve and strengthen their union, and to direct them to the most efficacious measures for establishing the rights of the people on the most honorable and permanent basis." This tone was in marked contrast to that of a similar proclamation in the previous June, when Congress implored God "to bless our rightful sovereign George III."; an indication of progress that did not pass unnoticed.[1]

The important measures just glanced at, were those of a substantially independent government. In April the inquiry was made of Franklin, "When is the Continental Congress by general consent to be formed into a supreme legislature?" Franklin replied, "Nothing seems wanting but that general consent. The novelty of the thing deters some; the doubt of success, others; the vain hope of reconciliation, many. Every day furnishes us with new causes of unceasing enmity and new reasons for wishing an eternal separation; so that there is a rapid increase of the formerly small party who were for an independent government."[2] The steps of Samuel Adams — certainly the foremost of the popular leaders in urging independence — may be followed almost daily in the grand service he was rendering the country. "Why," he reasoned on the 2d of April, "why not declare for independence. Because, say some, it will for ever shut the door of reconciliation. Upon what terms will Britain be reconciled to America. . . . She will be reconciled upon our abjectly submitting to tyranny, and receiving pardon for

administration are disposed to heal this unnatural wound in the empire, they will embrace that occasion, which probably will be the last, for accomplishing it. At all events, any other steps to be taken must proceed from the representatives of the continent, not from us." — Remembrancer, ii. 358.

[1] In Almon's Remembrancer for 1776 (vol. iii. 176) the two proclamations are contrasted.

[2] Franklin to Josiah Quincy, April 15, 1776. Sparks's Works, vol. viii. 181.

submitting to it. Will this redound to the honor or safety of America."[1] On the 16th he expressed indignation at the plea for the postponement of independence, on the ground that commissioners were on their way with new terms, saying: "The salvation of the country depends on its being done speedily. I am anxious to have it done. Every day's delay tries my patience. . . . We are told that commissioners are coming to offer us such terms as we may with safety accept of. I am disgusted exceedingly when I hear it mentioned. Experience should teach us to pay no regard to it. The child Independence is now struggling for birth. I trust in a short time it will be brought forth; and, in spite of Pharaoh, all America will hail the dignified stranger."[2] On the 30th he surveyed the whole field with the eye of a statesman, and wove a great deal of philosophy into an elaborate summary of salient facts: "The idea of independence spreads far and wide among the colonies. We cannot make events: our business is wisely to improve them. Mankind are governed more by their feelings than by reason. The Boston Port Bill suddenly wrought a union of the colonies which could not be brought about by the industry of years. Since the memorable 17th of June one event has brought another on, till America has furnished herself with more than seventy battalions for her defence. One battle would do more towards the declaration of independence than a long chain of conclusive arguments in a provincial convention or the Continental Congress."[3]

[1] Wells's Life of Samuel Adams, ii. 393.

[2] Samuel Adams to James Warren, April 16. MSS.

[3] Samuel Adams to Samuel Cooper, April 30, MSS. The letters of John Adams, dated this month, show that he had no more faith in the expected commissioners than Samuel Adams had. He wrote April 2: "We continue still between hawk and buzzard. Some people yet expect commissioners to treat with Congress and to offer a chart blanc. All declare, if they do not come empowered to treat with us and grant us our Bill of Rights in every iota, they will hesitate no longer." — Massachusetts Historical Society Proceedings, 1868, p. 208. He wrote April 12: "The ports are open wide enough at last, and privateers are allowed to prey upon British trade. This is not independency, you know. What is? Why, government in each colony, a confederation among them all." He termed this confederation "a continental

The next great measure of Congress was the recommendation to form local governments, based on the power of the people. Before relating the proceedings respecting this measure, it may be well to glance at the progress in this work by several colonies acting under the recommendations already given.

Massachusetts, as before stated, acted promptly in July, on the advice of Congress respecting its government, by using the old charter. A summons was issued by the Provincial Congress for the election of representatives under the existing law, "in observance of the resolve of the Continental Congress."[1] The representatives convened as an assembly, and chose counsellors who constituted a co-ordinate branch of the legislature, and were also the executive. Regular sessions of the legislature were held. In the third session, John Adams sat in the council, and was also appointed Chief Justice.[2] There had been delay in opening the courts. As they were about to sit, the government — executive and legislative — issued (Jan. 23, 1776) a proclamation drawn up by John Adams, enjoining officers and people to use their utmost endeavors to have the resolves of the General

constitution." He wrote April 14: "A more egregious bubble was never blown up than the story of commissioners coming to treat with the Congress: yet it has gained credit," &c. He wrote on the 16th to Col. Ward: "You seem to wish for independence. Do the resolves for privateering and opening of the ports satisfy you? If not, let me know what will? Will nothing do but a positive declaration that we will never be reconciled on any terms? It requires time to bring the colonies all of one mind, but time will do it." — Literary World, Sept. 18, 1852.

[1] The proceedings of Massachusetts were printed in the newspapers. The "Pennsylvania Evening Post" of July 22, 1775, contains the warrant of Congress calling a general assembly. There is first the resolve of Congress of June 9, 1775, and then the warrant proceeds: "In observance of the foregoing resolve of the Honorable Continental Congress now sitting in Philadelphia, these are to request you forthwith to cause the freeholders and other inhabitants of your town," who had an estate of forty shillings per annum or other estate to the value of forty pounds sterling, "according to an Act regulating the House of Representatives," to choose representatives. It was signed as follows: "Given under my hand this nineteenth day of June, A.D. 1775. By order of Congress. James Warren, President. Attest, Samuel Freeman, Secretary."

[2] John Adams left Congress on the 9th of December, 1775, and resumed his seat on the 9th of February, 1776.

Congress and the laws of the colony duly executed. In this paper the controversy with the mother country is briefly reviewed; the position of Massachusetts is stated; the consent of the people is declared to be the only foundation of government, and the happiness of the people its sole end; and that generation is congratulated "on the acquisition of a form of government more immediately in all its branches under the influence and control of the people, and therefore more free and happy than was enjoyed by their ancestors." The proclamation closed with the invocation, "God save the People."[1] It was ordered to be read at the opening of every court, at the March town-meetings, and by the ministers of the gospel on Sundays to their congregations. It was also widely circulated in the newspapers. This admirable paper was a fit inauguration of the first government in America based on the power of the people. It was established at Watertown, near Boston, in the midst of hostilities, — indeed, almost under the line of fire of the enemy.

In New Hampshire, the popular party proceeded in their political action with dignity, and with forbearance to the constituted authorities. The royal governor, Wentworth, was greatly respected. He deemed it his duty to enter one of the early provincial conventions, when the members rose, listened respectfully as he declared the meeting illegal and disloyal, and when he retired, resumed their sitting and their business. In the progress of events the evils of an absence of authority became intolerable; yet the patriots waited several months for the advice of the General Congress, before they acted on the matter of establishing a government. When the advice came, the Whigs of the school of

[1] A previous proclamation for a Thanksgiving, Nov. 4, 1775, closed with "God save the People." A Tory, in the "News Letter," printed in Boston, Jan. 11, 1776, in an address to the soldiers of the United Colonies, remarked on this close, instead of the "heretofore invariable God save the King." He regarded it a sign that the popular leaders meant to deny the authority of the King. "Will it not suffice your leaders," he says, "to mock the king, but they must mock Heaven also?" The proclamation of Jan. 23, 1776, is in the "Pennsylvania Evening Post" of Feb. 27.

Dickinson, drew from it the inference that Congress were in favor of independence, and said that this would be ruinous.[1] The majority, however, summoned a convention to meet at Exeter, and to consist of delegates to be elected under the existing laws providing for the choice of representatives. This body framed a constitution, which was adopted in the following terms: "In Congress at Exeter, Jan. 5, 1776, voted, that this Congress take up civil government in this colony in manner and form following," — consisting of provisions for the executive, legislative, and judiciary departments. In this way, even the forms of royal authority were done away; and, in the words of the preamble, a constitution was established by "the free suffrages of the people."[2]

In South Carolina, the circumstances were peculiar. The population was "a medley of different nations and composed of the most contradictory characters;" it had doubled in ten years; wealth had poured in upon the colony from a thousand channels; and all ranks and orders gloried in their attachment to the mother country.[3] Throughout this period of rare prosperity, the popular party, constituting a majority, entered with generous enthusiasm into the measures, in opposition to the aggressions of the British administration. When the issue passed from commercial war to armed resistance, and the question of independence arose, the rela-

[1] The "New-Hampshire Gazette" of Jan. 9, 1776, contains an elaborate piece against a declaration of independence, addressed "To the Congress at Exeter." The writer warns this body that the Continental Congress were in favor of independence, saying: "We began the controversy on this principle, to seek redress of grievances: since we have lost sight of the object, and are in quest of what will most certainly terminate in our ruin and destruction, — I mean independency." One of the grounds on which the writer relied for this conclusion was, that "the grand Congress," on an application from this province, recommended to them to assume "a new form of government." An instance of the deference felt in this colony to the Congress has been given on page 422. John Sullivan, Dec. 12, 1776, writes: "I hear that the Continental Congress has given our province a power to assume government."

[2] The form of government was printed in the newspapers in full. It is in the "New-England Chronicle" of Feb. 1, 1776, and "Pennsylvania Ledger" of Feb. 10.

[3] Ramsay's Revolution in South Carolina, i. 7.

tive state of the parties was changed. It is estimated that half of the population were opposed to a separation. The government in February, 1776, was vested in a Provincial Congress. The President, William Henry Drayton, in a speech (February 9) occasioned by the return of two of the delegates of the General Congress, warmly thanked them for their service. In doing this, he enumerated their acts, mentioning, — the "permission granted to colonies to erect forms of government independent of and in opposition to the regal authority." On that day a committee was appointed to consider the recommendation given by Congress to South Carolina, on the 4th of November, to form a government. On the next day Christopher Gadsden arrived, and also received the thanks of his constituents. He urged not only the formation of a government, but independence. The debate was earnest. Both measures were warmly opposed. The Congress voted (February 11) that the existing establishment "was entirely inadequate to the well-governing the good people of the province." On the next day (Sunday) a committee was appointed to prepare a plan. On the 24th of March they reported a final draft of a constitution, which, though opposed by a strong party that included Rawlins Lowndes, was ordered to be fairly engrossed upon royal paper. On the 26th of March it was adopted. It is entitled "a constitution or form of government agreed to, and resolved upon, by the representatives of South Carolina." It provided for the executive and legislative branches, and went at once into effect. The Provincial Congress resolved themselves into an Assembly.[1] When the officers were inaugurated, with John Rutledge as the President, there was in Charleston an imposing parade, with universal expressions

[1] Journal of the Proceedings. This was printed in Charleston in 1776, and reprinted in London. It is in Force's Archives, 4th Series, v. 562. Ramsay says, p. 81: "The formation of an independent constitution had so much the appearance of an eternal separation from a country by a reconciliation with which many yet hoped for a return of ancient happiness, that a great part of the Provincial Congress opposed the measure. The Act of Parliament of December 21, throwing the colonies out of protection, turned the scale."

of joy.[1] The government, remarks Ramsay, "rested on this fundamental point, — that the voice of the people was the source of law, honor, and office." When the courts were opened, the Chief Justice, William Henry Drayton, delivered a famous charge, embodying the spirit of the time; and, at the close of the session of the legislature, the governor in a spirited address was in harmony with Massachusetts as he said, "The consent of the people is the origin, and their happiness is the end, of government."

It is not material that the people in the three colonies just glanced at, had not abandoned the hope of reconciliation, or that a permanent government had not been formed. They had exercised the right of establishing public authority in all its branches. On law derived from the people the municipalities now rested. Their functions can hardly be said to have been disturbed. Indeed, in all the colonies they were in healthy activity; they never before or since performed more important service: and they constituted the foundations on which the American builders proceeded to erect their superstructure.

The results reached in Massachusetts, New Hampshire, and South Carolina, were warmly welcomed by the patriots, and other colonies were enjoined to follow in the same course. "I wish," one writes, "to see the hands of the Continental Congress strengthened by a regular system of government in each colony."[2] The Tories and the repre-

[1] The "New-England Chronicle" of May 2 contains the following, under date of Charleston, April 3: —

"On Thursday last the new Constitution, agreed upon by our Congress, by the approbation of the Continental Congress, 'to serve for regulating the internal policy of this colony until an accommodation of the unhappy differences between Great Britain and America can be obtained, an event which is earnestly desired,' was published here in due form. A detachment of the Provincial regiment of artillery and the Charleston militia were drawn up in Broad Street from the State House to the Exchange, where the Constitution was read, and the commissions of John Rutledge, Esq., President and Commander-in-Chief, and Henry Laurens, Esq., Vice-President of the Colony, were proclaimed, amidst the shouts of the numerous spectators, firing of field-pieces, and the cannon on board the provincial armed vessels."

[2] "I wish to see the confusion of Bunker's Hill avoided betimes. I wish to see the hands of the Continental Congress (who have too much to do to regulate the

sentatives of the proprietary interests in the Middle Colonies vehemently opposed this change. The bitterness between the contending parties increased. "The passions," wrote John Adams (April 28), "were never in more lively exercise than they now are, from Florida to Canada inclusive."[1] Nowhere were they more lively than in the colony, city, and building in which Congress held its sessions; for some of the colonial conventions met in a room over their heads.

In the centre of this political whirl, Congress matured the action just referred to, respecting local governments. The nearest approach to an application for advice on this head, was a request preferred by a few zealous Whigs of New York for leave to this colony to form a government. It was expressed in a letter addressed to John Adams.[2] He now began to take the station to which his earnestness in the cause, legal erudition, intellectual vigor, and superior powers of debate entitled him.[3] He submitted, on the 6th of May, in committee of the whole, a resolve recommending to all the colonies, where it should be considered necessary, to form such governments as might conduce to their happiness in particular and that of America in general, — which was agreed to on the 9th of May, and reported to Congress. On the request of a colony, it was postponed until the next day, when it was adopted.

A committee[4] was appointed to prepare a preamble to accompany this resolve. They reported a draft drawn up by John Adams. It declared that it was absolutely irrecon-

affairs of every colony) strengthened by a regular system of government in each colony. . . . New Hampshire and Massachusetts have gone before us, and the rest must speedily follow. . . . I would by no means have this step taken without consulting the Continental Congress. Let us lay our case before them, as did the people of Massachusetts and New Hampshire. Let us beg their advice and approbation. They advised and approved of the proceedings of the last-mentioned colonies." — Pennsylvania Packet, April 15, 1776.

[1] Letters of John Adams to his Wife, i. 106.

[2] Compare the letter in Gordon, ii. 269, with the letter of John Adams in his Works, ix. 407.

[3] Life and Works of John Adams, i. 212.

[4] The committee were John Adams, Edward Rutledge, and Richard Henry Lee.

cilable with the conscience and reason of the people now to take the oaths to support a government under the crown, that all such ought to be suppressed, and government established on the power of the people; and it adduced as a justification, that the king, lords, and commons had excluded the inhabitants of the United Colonies from protection. An exciting debate followed the submission of this report. Duane, of New York, in opposition said: "You have no more right to pass the resolve than Parliament has. How does it appear that no favorable answer is likely to be given to our petitions? Every account of foreign aid is accompanied with the account of commissioners. Why all this haste? Why this urging? Why this driving? Disputes about independence are in all the colonies. What is this owing to but our indiscretion. I shall take the liberty of informing my constituents that I have not been guilty of a breach of trust. I do protest against this piece of mechanism, — this preamble. If the facts in this preamble should prove to be true, there will not be one voice against independence. I suppose the votes have been numbered, and there is to be a majority." Wilson, of Pennsylvania, reasoned that all government originates from the people; that the members were the servants of the people sent to act under delegated authority; that, if they exceeded it, they deserved neither excuse nor justification; and that he had no authority to vote for this preamble. "If it passes," he said, "there will be an immediate dissolution of every kind of authority." In favor of the preamble, McKean, of Delaware, said: "Don't doubt that foreign mercenaries are coming here to destroy us;" and he held that the people would lose their liberties, properties, and lives, unless this step were taken. Samuel Adams said that the petitions had not been heard, and yet had been answered by armies and fleets; that they were answered also by myrmidons from abroad; and that they could not act upon stronger reasons than that the king has thrown the colonies out of his

protection. "Why," he said, "should we support government by his authority? I wonder that the people have conducted themselves so well as they have."[1] The preamble was adopted on the Fifteenth of May, and, with the resolution, was ordered to be printed.

The resolution and preamble were the decision of the political power, or the United Colonies, that the time had come to abrogate all public authority exercised in them in the name of the sovereignty symbolized by the crown, and to establish in each colony such authority on the basis of a sovereignty residing in the free and independent man or the people.[2] This was revolution.[3] The Resolution became the platform of the popular party, — the touchstone of fidelity; and, embodying as it did the will of the majority, they were bound to maintain it against all opposers. It appears at once in the front of the most exciting political

[1] Life and Works of John Adams, ii. 490, 491. The resolution was printed on the 16th of May, 1776, in the "Pennsylvania Evening Post," as follows: —

IN CONGRESS, May 15, 1776.

Whereas his Britannic Majesty, in conjunction with the Lords and Commons of Great Britain, has, by a late Act of Parliament, excluded the inhabitants of these United Colonies from the protection of his crown. And whereas no answer whatever, to the humble petitions of the colonies for redress of grievances and reconciliation with Great Britain, has been, or is likely to be given; but the whole force of that kingdom, aided by foreign mercenaries, is to be exerted for the destruction of the good people of these colonies. And whereas it appears absolutely irreconcilable to reason and good conscience for the people of these colonies *now* to take the oaths and affirmations necessary for the support of any government under the crown of Great Britain; and it is necessary that the exercise of every kind of authority under the said crown should be totally suppressed, and all the powers of government exerted under the authority of the people of the colonies for the preservation of internal peace, virtue, and good order, as well as for the defence of our lives, liberties, and properties, against the hostile invasions and cruel depredations of their enemies. Therefore

Resolved, That it be recommended to the respective Assemblies and Conventions of the United Colonies, where no government sufficient to the exigencies of their affairs has been hitherto established, to adopt such government as shall, in the opinion of the representatives of the people, best conduce to the happiness and safety of their constituents in particular and America in general.

By order of Congress. JOHN HANCOCK, *President*.

[2] See pages 424–427.

[3] "What is revolution? Why, that is revolution which overturns, or controls, or successfully resists the existing public authority; that which arrests the exercise of the supreme power; that which introduces a new paramount authority into the rule of the State." — Works of Daniel Webster, iii. 459.

action, and thus played an important part in the formative process of the country.

It happened that on the 15th of May a great popular movement also reached a decisive result. This bore directly on independence, demanded in November by a few, in January by only a small party, but in March by a public opinion becoming every day more importunate. This change was by no means unrepresented in Congress, which was paving the way to independence;[1] but the proceedings with this in view — the instructions, for instance, to Silas Deane — were necessarily secret, and hence the opponents of the measure were enabled to say that "Congress had never lisped the least desire for independence or republicanism."[2] Then the Assemblies of the Middle Colonies, so far from recalling their instructions against independence, in some cases renewed them. Above all other considerations was the question of power to act on so grave and irrevocable a step as a separation; for the power delegated was simply to mature such action as would obtain a redress of grievances under the existing government.

While Congress was hesitating, "A Lover of Order," on the 9th of March, proposed through the newspapers that the constituents of each delegation should be invited to declare their sentiments on independence through their local organizations; remarking that in this manner the continent

[1] Joseph Reed (Reed's Reed, i. 164) writes March 3: "The Congress are paving the way to a declaration of independence, but I believe will not make it until the minds of the people are better prepared for it than as yet they are."

[2] The "New-York Gazette" of April 8, 1776, contains a paper entitled "Plan of the American Compact." It was designed to keep the colonies united with England. It is characterized as a "Compact of Reconciliation." The writer asks, "For what are we to encounter the horrors of war," &c.? He answers: "It is a form of government which Baron Montesquieu and the best writers on the subject have shewn to be attended with many mischiefs and imperfections, while they pass high encomiums on the excellency of the British Constitution. But why should I dwell on the dangers of this scheme? The Continental Congress have never lisped the least desire for independency or republicanism. All their publications breathe another spirit." This plan was reprinted in a pamphlet entitled "Observations on the Reconciliation of Great Britain and the Colonies," &c., written by a Whig of the Dickinson school, and printed in Philadelphia, 1776, by Robert Bell.

first declared their determination to resist by force the power of Great Britain, and in so important a question the Congress ought only to echo back the sentiments of the people, and their decision ought to determine the question.[1] This course might have been agreed upon in one of the consultations of the popular leaders, and preferred to a proposition which John Adams probably intended to submit in Congress, with the view of procuring a repeal or a suspension of the instructions against independence.[2] However this may have been, it was in harmony with the political genius of the country to collect the sense of the people on so great a question. It tended to keep armed resistance to constituted authority in the line of order, to secure co-operation, and to guide passion in its wildest mood with much of the regularity of law. It corresponded with the work done; for, as no colony formed a local government until Congress recommended it to be done, so no delegation voted for a declaration of independence until authorized by its constituents.

Members of Congress soon after requested their Assem-

[1] The following is the piece alluded to in the text. It is in the Boston newspapers of April 1. It is here copied from the "Pennsylvania Evening Post" of March 9, 1776: —

MR. TOWNE, — It is the opinion of many people among us that the Congress should not declare the colonies independent of Great Britain, without a previous recess to consult their constituents about that important question. But the complicated and increasing business of the Congress will not admit of such a recess. Would it not be proper, therefore, for their constituents to declare their sentiments upon that head as soon as possible? This may be done by the various committees and conventions on the continent. Their votes or resolves should determine the question in the Congress. It was in this manner the continent first declared their determination to resist by force the power of the British Parliament. The first Congress was nothing but the echo of committees and conventions. In the present important question concerning independence, the Congress should, as in the former case, only echo back the sentiments of the people. This can only be done through the medium of committees and conventions. The sooner, therefore, they are convened for that purpose the better.

A LOVER OF ORDER.

[2] The proposition referred to in the text is in the Life and Works of John Adams, i. 216. No date is given. The purport of a preamble and resolve was to recommend to the assemblies which had limited the powers of their delegates "to repeal or suspend those instructions for a certain time," that Congress might have the power to act according to its discretion.

blies to express their sentiments on independence. Elbridge Gerry, on the 26th of March, wrote to the speaker of the Massachusetts Assembly as follows: "This [opening the ports] will not in itself satisfy you; and I hope nothing will, short of a determination of America to hold her rank in the creation, and give law to herself. . . . I sincerely wish you would originate instructions expressed with decency and firmness, and give your sentiments as a court in favor of independency. I am certain it would turn many doubtful minds, and produce a reversal of the contrary instructions adopted by some Assemblies. Some timid minds are terrified at the word 'independence.' If you think caution in this respect good policy, change the name. America has gone such lengths she cannot recede."[1] Richard Henry Lee (April 20) urged Patrick Henry to propose a separation in the convention which was about to assemble in Virginia, remarking: "Ages yet unborn and millions existing at present may rue or bless that Assembly on which their happiness or misery will so eminently depend."[2] Subsequently members from New York, New Hampshire, Rhode Island, and Maryland, — among them the venerable Stephen Hopkins, — appealed to their constituents for instructions on independence.

The facts just stated may account for the movement respecting independence which, on the 15th of May, reached a result that gave a decisive turn to the course of events. The procedure in each colony is so important that it deserves to be given in full; but the narratives must necessarily be much abridged. They may, however, serve to show the source of the local streams, and how they came together, and formed a current wide, deep, and irresistible in its flow.

[1] Life of Elbridge Gerry, i. 174. He did not ask instructions to enable the Massachusetts delegates to act, for they were fully empowered by their commissions. He suggests the publication of any instructions which the Assembly might adopt, in order to influence public sentiment.

[2] Grigsby's Discourse on "The Convention of 1776," p. 8.

North Carolina was the first colony to act as a unit in favor of independence. It was the fourth in importance of the United Colonies. Its Provincial Congress had organized the militia, and vested the public authority in a provincial council for the whole colony, committees of safety for the districts, and county and town committees. A large portion of the people were adherents of the crown, — among them a body of Highland emigrants, and most of the party of regulators. Governor Martin represented, not without grounds,[1] that, if these loyalists were supported by a British force, the colony might be gained to the royal side. The loyalists were also numerous in Georgia and South Carolina. Hence it was determined by the King to send an expedition to the Southern Colonies in the winter, to restore the royal authority.[2] This was put under the command of Sir Henry Clinton, and ordered to rendezvous at Cape Fear. "I am clear," wrote George III., "the first attempt should be made on North Carolina, as the Highland settlers are said to be well inclined."[3] Commissions were issued to men of influence among them, one being Allan McDonald, the husband of the chivalrous Flora McDonald, who became famous by romantic devotion to Prince Charles Edward. Donald McDonald was appointed the commander. These officers, under the direction of the governor, after much secret consultation, enrolled about fifteen hundred men. The popular leaders, however, were informed of their designs. The militia were summoned, and took the field under Colonel James Moore. At length, when Sir Henry Clinton was

[1] In Anson County, Governor Martin had 227 loyal addresses; in Guilford County, 116; in Rowan and Surry, 195. — Sabine's American Loyalists, 27.

[2] Lord George Germain, in a despatch to Governor Eden of Maryland, dated Dec. 23, 1775, says: "An armament consisting of seven regiments, with a fleet of frigates and small ships, is now in readiness to proceed to the Southern Colonies, in order to attempt the restoration of legal government in that part of America. It will proceed in the first place to North Carolina, and from thence either to South Carolina or Virginia, as circumstances of greater or less advantage shall point out." This despatch was intercepted, and printed in the "Pennsylvania Evening Post" of April 23, 1776.

[3] Correspondence of George III., i. 276.

expected at Cape Fear, General McDonald erected the royal standard at Cross Creek, now Fayetteville, and moved forward to join Clinton. Colonel Moore ordered parties of the militia to take post at Moore's Creek Bridge, over which McDonald would be obliged to pass. Colonel Richard Caswell was at the head of one of these parties: hence the force here was under his command: and this place on the 27th of February became a famous battle-field. The Provincials were victorious. They captured a great quantity of military supplies, nearly nine hundred men, and their commander.[1] This was the Lexington and Concord of that region. The newspapers circulated the details of this brilliant result. The spirit of the Whigs run high. "You never," one writes, "knew the like in your life for true patriotism."[2] A strong force was soon ready and anxious to meet Clinton. Amidst these scenes, the people elected delegates to a Provincial Congress, which met, on the 4th of April, at Halifax. It embraced many eminent patriots, among whom were Cornelius Harnett, called the Samuel Adams of North Carolina, William Hooper, who had read law with James Otis, Richard Caswell, a member of the General Congress. Attempts were made to ascertain the sense of the people on independence; and it was said that in some of the counties fondness for the King was gone, and that there was not a dissentient voice. It was not stated that in other counties the majority was largely on the side of the crown. The subject was referred to a committee, of which Cornelius Harnett was the chairman. They reported an elaborate preamble in which was delineated the war which the King and Parliament were carrying on against the colonies, and a resolution to empower the delegates in the General Congress "to concur with the delegates in the other colonies

[1] The "Pennsylvania Evening Post" of March 23 has Colonel Moore's long relation in his letter of March 2, addressed to Cornelius Harnett, Caswell's account, and the correspondence between Moore and McDonald. They were copied by the Massachusetts papers.

[2] Letter in "Pennsylvania Evening Post," March 26, 1776.

in declaring independency and forming foreign alliances, — reserving to the colony the sole and exclusive right of forming a constitution and laws for it," also "of appointing delegates in a general representation of the colonies for such purposes as might be agreed upon." This was unanimously adopted on the 12th of April.[1] Thus the popular party carried North Carolina as a unit in favor of independence, when the colonies, from New England to Virginia, were in solid array against it. The example was warmly welcomed by the patriots, and commended for imitation. The bold instructions and the military triumph were the sequence of the king's expedition. The royal indignation was soon (May 5, 1776) embodied in a proclamation declaring a rebellion in North Carolina, but promising pardon to all who would return to their duty, except Cornelius Harnett and Robert Howe. Harnett was the foremost actor in the movement for independence, and Howe, having accepted a military commission from the Provincial Congress, was rendering noble service in the field.

Rhode Island acted next on independence. Its people were satisfied with their charter. Under it they elected their rulers and made the laws. A portion, not inconsiderable in number, were adherents of the crown; and the measure of independence had strong opponents. Their venerable delegate in Congress, Stephen Hopkins, requested implicit instructions on this head. On the 4th of May the Assembly, on his re-election and the election of William Ellery, adopted the form of a commission, empowering them to consult on "promoting the strictest union and confederation" between the United Colonies; and to secure their rights, whether by forming treaties, or "by such other prudent and effectual means" as might be agreed upon, "taking the greatest care to secure to this colony, in the strongest and most perfect manner, its present established form and all the powers of government so far as it relates to its internal police and

[1] This paper, in the newspapers, was signed James Green, Jun., Secretary.

conduct of its own affairs, civil and religious." Independence is not named in this document; but Governor Cooke advised the delegates that by it they would know that they had the power to vote for this measure. They acted on this interpretation of their commission. Another Act of the same date provided that all commissions, writs and processes in the courts, issued in the king's name, should be issued in the name of "The Governor and Company of the English Colony of Rhode Island and Providence Plantations." The Act enumerated the measures that justified disowning allegiance to the king. This concerned their local status. The commission bore directly, and with intelligence, on the relation which Rhode Island as a community was to sustain in an American Republic. This, however, was kept secret. It roused no enthusiasm, and made no mark.[1]

Massachusetts was the next to act on independence. The popular party were in great exultation. The British army in March was driven from Boston, the government was in the hands of the people, and the Tories had emigrated or were powerless. In May the legislature was in session at Watertown. On the 1st of this month the member of the largest influence, Joseph Hawley, wrote to Elbridge Gerry: "The Tories dread a declaration of independence, and a course of conduct on that plan, more than death. . . . My hand and heart are full of it. There will be no abiding union without it. . . . Without a real continental government, our army will overrun us; and people will by and by, sooner than you may be aware of, call for their old constitutions, as they

[1] The commission was read in Congress, May 14, and is printed in Journals, ii. 163. It was not printed at the time. Stephen Hopkins, — at that time a member of the Rhode-Island Assembly, Chief Justice, and member of Congress, — May 15, wrote to Governor Cooke: "Your favor of the 7th of May I have received, and the papers enclosed. I observe you have avoided giving me a direct answer to my queries concerning dependence or independence. However, the copy of the Act which you have sent me, together with our instructions, leave me little room to doubt it," &c. Force's Archives, 4th Series, vi. 467. The act relating to civil processes was printed in the newspapers.

did in England, after Cromwell's death, call in Charles the Second. For God's sake, let there be a full revolution, or all has been done in vain. Independency and a well-planned continental government will save us. God bless you. Amen and amen."[1] These ringing words expressed the voice of the people. The House sent to the Council a resolution on independence, which that body negatived, chiefly on the ground that the colony had long been charged with dictation, and that to legislate on independence before Congress acted would injure the cause.[2] Both branches agreed (May 1) to an Act providing that on and after the 1st of June all civil processes, instead of being issued in the name of the king and bearing the date of a reign, should be issued in the name of the government and people of Massachusetts, and bear the date of the year of the Christian era, the act to continue in force until a recommendation of "Congress or Act of a general American legislature, or the local legislature, should otherwise prescribe."[3] Both branches also

[1] Life of Elbridge Gerry, i. 176. On the same day (May 1) Gerry (Ibid., i. 178) wrote to James Warren: "I am glad you approve of the proposal for instructions, and can with pleasure inform you that North Carolina has taken off from their delegates the restriction relative to this matter;" *i.e.*, independence.

[2] Dr. Samuel Cooper, in a letter to Samuel Adams, May 13, says of a resolution of the House. "The House sent up the vote to the Council for their concurrence. The propriety of this was doubted by some, who did not think the Council could properly act on such an affair. It was however done, and the Council negatived the vote. Mr. Cushing, among others, was against it. He said that it would embarrass the Congress, that we ought to wait until they moved the question to us, that it would prejudice the other colonies against us, and that you had wrote to somebody here that things with you were going on slowly and surely, and any kind of eagerness in us upon this question would do hurt." — MSS.

[3] This Act was printed in 1862 in a pamphlet, with a *fac-simile*, by Henry B. Dawson, in which it is entitled "Declaration of Independence of the Colony of Massachusetts Bay." Arnold (History of Rhode Island, ii. 373) attaches like importance to a similar Act of Rhode Island passed on the 4th of May, saying: "It established Rhode Island as an independent State two months before the general declaration of the United Colonies." These were important Acts, but assuredly not declarations of independence. Joseph Hawley was not pleased with the wording of the Act. He said (May 17) in a letter to Samuel Adams: "I wish we had adopted a shorter, more noble, popular, and rational a style. . . . However, the dropping the title of George III., &c., is no small attainment. The retaining it created no small uneasiness among our good people of common sense." — MSS.

agreed on a test Act, which required all "to defend by arms the United Colonies and every part thereof" against the fleets and armies of Great Britain. The House proceeded separately on the question of independence. On the 10th of May it voted, that the towns ought to call meetings to determine whether, if Congress should declare the colonies independent of Great Britain, the inhabitants "would solemnly engage with their lives and fortunes to support them in the measure."[1] In pursuance of this call, during May and June meetings were held in the towns, in which independence was discussed and votes to sustain it were passed; sometimes accompanied by elaborate papers, going over the history of the colony and the list of American grievances. Wrentham declared that reconciliation had become as dangerous as it was absurd. Palmer could see no alternative but inevitable ruin or independence. Malden (May 27) voted, "That the present age will be deficient in their duty to God, to their posterity and themselves, if they do not establish an American Republic." Acton (June 17), using these words[2] of Malden, added: "If Congress should declare America to be a free and independent republic," they would defend the measure with their lives and fortune." In this way, from the battle-fields of Lexington and Concord, from the ruins at the base of Bunker Hill, from Faneuil Hall, from a hundred villages aglow with patriotic fires,

[1] The resolve was as follows: "In the House of Representatives, May 10, 1776. *Resolved*, as the opinion of this House, that the inhabitants of each town in this Colony ought, in full meeting warned for that purpose, to advise the person or persons who shall be chosen to represent them in the next General Court, whether that, if the honorable Congress should, for the safety of the said colonies, declare them independent of the kingdom of Great Britain, they, the said inhabitants, will solemnly engage, with their lives and fortunes, to support them in the measure. Samuel Freeman, Speaker. Attest, William Story, Clerk *pro tem*." It is a singular coincidence that on this 10th of May Congress agreed to the resolution prepared by John Adams advising the formation of local governments, and the committee of Charlotte County, Virginia, instructed its delegates to vote for independence.

[2] The instructions of Malden and Boston were the earliest I have found in the newspapers. Those of twenty-three towns may be found in Force's Archives, 4th Series, 698–707.

went forth the pledge of determined and stern men to support such a declaration as Congress might make with their fortunes and their lives. "The whole province," said Pittsfield, "are waiting for the important moment which they in their great wisdom shall appoint for the declaration of independence and a free republic." [1]

Virginia was profoundly agitated on the question of independence. The royal governor, Dunmore, had taken refuge with the British fleet. The House of Burgesses, summoned by him, held several sessions, and finally dissolved themselves. The political power resided in a convention consisting of delegates chosen by those qualified to elect Burgesses. The delegates were re-elected in pursuance of an ordinance of their own making. "It was," Tucker says, "the great body of the people assembled in the persons of their deputies to consult for the common good and to aid in all things for the safety of the people." [2] They had organized the militia, and appointed a committee of safety to act in the recess as the executive. They did not immediately comply with the recommendation of Congress in December to form a government. This procedure was looked upon generally as in the direction of independence, if not as independence itself, which then a few only in the colony regarded with favor. "The convention of August, 1774," says an eminent authority, "had met and adjourned; the convention of March, of July, and of December, 1775, had also met and adjourned without the expression of a single opinion in favor of independence." [3] It had, however, been urged in the Virginia

[1] Hawley, June 12 (Life of Gerry, i. 186), wrote: "About two-thirds of the towns in the colony had met, and all instructed in the affirmative, and generally returned to be unanimous." These returns were made to a new house convened on 2d of June, which, on the 3d of July, in a brief letter addressed to the Massachusetts delegates, stated that independence "was almost the universal voice of this colony" collected from far the greater number of the towns. The letter concludes: "This House therefore do, by a unanimous vote, submit this letter to be made use of as you shall think proper." — Massachusetts Archives, lvii. 284.

[2] Tucker's Blackstone, i. part 1, 88.

[3] Grigsby, Discourse on "The Virginia Convention of 1776," p. 7.

press. There soon followed the victory of the militia on the 9th of December at the Great Bridge; the burning of Norfolk on the 1st of January; and the publication of an intercepted despatch of Lord Germain, explaining the bold rising of the Tories of North Carolina, and naming Virginia as the theatre of future operations.[1] There was a sudden change in public sentiment; and the idea of independence, said to be alarming to Virginians in March,[2] was welcome to them in April. One writes on the 2d: "Independence is now the talk here. . . . It will be very soon, if not already, a favorite child." Another, on the 12th, writes: "I think almost every man, except the treasurer, is willing to declare for independency."[3] Only eleven days later, on the 23d, the Charlotte-County Committee published this charge to their delegates in convention: "By the unanimous approbation and direction of the whole freeholders, and all the other inhabitants of this County, . . . we give it to you in charge to use your best endeavors that the delegates which are sent to the General Congress be instructed immediately to cast off the British yoke; and as King George, under the character of a parent, persists in behaving as a tyrant, that they, in our behalf, renounce allegiance to him for ever; and that taking the God of Heaven to be our king, and depending on His assistance and protection, they plan out that form of government which may most effectually secure to us the enjoyment of our civil and religious rights and privileges to the latest posterity."[4] On the next day, a majority of the freeholders of James City, remarking that reasons drawn from justice, policy, and necessity were everywhere at hand for a radical separation from Great Britain, instructed their

[1] This despatch (see p. 502) directed Governor Eden to co-operate with Lord Dunmore. It is named in the proceedings of Charlotte County.

[2] Joseph Reed in Philadelphia writes Washington, March 15: "It is said the Virginians are so alarmed with the idea of independence that they have sent Mr. Braxton on purpose to turn the vote of that colony." — Reed's Reed, i. 173.

[3] See papers in "Southern Literary Messenger," September and October, 1858.

[4] This paper is in the "Pennsylvania Evening Post" of May 21, under the heading "Williamsburg, May 10."

delegates "to exert their utmost abilities in the next convention towards dissolving the connection between America and Great Britain, totally, finally, and irrevocably."[1] Buckingham County was in favor of a constitution providing for a full representation, and a government the most free, happy, and permanent that human wisdom could contrive. Augusta County added, "one that might bear the test of future ages." In May the avowals for independence were numerous. In this spirit and with such aims, a new convention was chosen, and on the 6th of May met in Williamsburg. It contained illustrious men, — among them, James Madison, in the twenty-fifth year of his age; George Mason, in the maturity of his great powers; Richard Bland, Edmund Pendleton, and Patrick Henry, rich in Revolutionary fame.[2] The President, Pendleton, in opening the session, said that almost all the powers of government had been suspended for two years; and he asked whether the colony could longer maintain the struggle in that situation. On the 14th of May the convention went into a committee of the whole on the state of the colony, with Archibald Carey in the chair; when Colonel Nelson submitted a preamble and resolutions on independence, prepared by Pendleton.[3] These were discussed in two sittings of the committee, and then reported to the House. They were opposed chiefly by delegates from the Eastern District, but were advocated by Patrick Henry, and passed unanimously when one hundred and twelve members were present, — about twenty absenting themselves. This paper enumerated the wrongs done to the colonies; put as the crowning grievance the king's proclamation declaring them out of his protection; averred that there was no alternative but absolute subjection or total

[1] The instructions are printed in the "Pennsylvania Evening Post" of May 11, from the "Virginia Gazette" of April 26.

[2] The Discourse delivered before the "Virginia Alpha and Phi Beta Kappa Society" at Williamsburg, July 3, 1855, by Hon. Hugh Blair Grigsby, contains an admirable history of this convention, with the character of the actors.

[3] Ibid., in a note on p. 204.

separation, and instructed the delegates appointed to represent the colony in the General Congress "to propose to that respectable body to declare the United Colonies free and independent States," and to "give the assent of the colony to measures to form foreign alliances and a confederation, — provided the power of forming government for the internal regulations of each colony be left to the colonial legislatures." The same paper also provided for a committee to form a plan of government for Virginia. This action was transmitted by the President to the other assemblies, accompanied by a brief circular.[1] On the evening of the day the people of Williamsburg rang the bells, fired salutes, struck down the British flag from the State House, and raised "The Union Flag of the American States." The militia welcomed this action with acclamation. It was hailed by the patriots in other colonies with enthusiasm, and elicited through the press and in private letters glowing tributes to the patriotism of the Old Dominion. The convention agreed (June 12) upon the famous Declaration of Rights declaring all men equally free and independent, all power vested in and derived from the people, and that government ought to be for the common benefit; also that all men are equally entitled to the free exercise of religion according to the dictates of conscience. It also complied with the recommendation of Congress, by forming a constitution and electing a

[1] This paper was copied into the "Pennsylvania Evening Post" of May 28. It is in all the newspapers of this period that I have seen. The following are the resolves: —

Resolved unanimously, That the delegates appointed to represent the colony in the General Congress be instructed to propose to that respectable body to declare the United Colonies free and independent States, absolved from all allegiance to, or dependence upon, the crown or parliament of Great Britain; and that they give the assent of this colony to such declaration, and to whatever measures may be thought proper and necessary by the Congress for forming foreign alliances and a confederation of the colonies, at such time and in the manner as to them shall seem best. Provided, that the power of forming government for, and the regulation of the internal concerns of, each colony be left to the respective colonial legislatures.

Resolved unanimously, That a committee be appointed to prepare a declaration of rights, and such a plan of government as will be most likely to maintain peace and order in this colony, and secure substantial and equal liberty to the people.

governor and other officers.[1] In this great procedure Virginia joined with North Carolina in confronting the instructions against independence of the Middle Colonies. Its action constitutes a brilliant link in the chain that marked the nation's birth.[2]

On the fifteenth day of May, only four of the colonies had acted definitely on the question of independence. North Carolina had authorized her delegates to concur with the delegates from the other colonies "in declaring independency;" Rhode Island had commissioned hers "to join in any measure to secure American rights;" in Massachusetts various towns had pledged themselves to maintain any declaration on which Congress might agree; and Virginia had given the positive instruction to her delegates to propose that Congress should make a declaration of independence. These proceedings were accompanied with declarations respecting a reservation to each colony of the right to form its own government, in the adjustment of the power universally felt to be necessary, and which was to be lodged in a new political unit designated by the terms "Confederation," "Continental Constitution," and "American Republic."

The Virginia instructions were carried to Congress by their mover in the convention, Colonel Nelson. Three weeks elapsed before a motion on independence was submitted in this body. The popular party was aglow with the measure. It was not then the custom for statesmen to attend public meetings out of their respective colonies. The voice of Patrick Henry was never heard in Faneuil Hall. John

[1] The Declaration of Rights was reported to the Convention in May and printed for the use of the members. It is in the "Pennsylvania Evening Post" of June 6, under the head "Williamsburg, May 24." The journal of the convention in Force's Archives gives May 27 as the date of its presentation. The copies vary. Thus the Report has these words: "That all men are born equally free and independent, and have certain inherent natural rights." This was changed to "That all men are by nature equally free and independent, and have certain inherent rights." The preamble to the Constitution states that it was adopted "in compliance with the recommendation of the General Congress."

[2] Rives's Life of Madison, i. 129.

Adams never addressed a Virginia gathering. The press was relied on for intercommunication of sentiment. The newspapers were now circulating noble utterances in favor of independence. A few sentences from the Boston instructions are selected, not because they were the most pointed, or were peculiar, but because behind them was the brave municipality which so long commanded the admiration of patriots everywhere for fidelity to the common cause. "The whole United Colonies," was now the language of Boston, "are upon the verge of a glorious revolution. We have seen the petitions to the king rejected with disdain. For the prayer of peace he has tendered the sword; for liberty, chains; for safety, death. Loyalty to him is now treason to our country. We think it absolutely impracticable for these colonies to be ever again subject to or dependent upon Great Britain, without endangering the very existence of the State. Placing, however, unbounded confidence in the supreme councils of the Congress, we are determined to wait, most patiently wait, till their wisdom shall dictate the necessity of making a declaration of independence. In case the Congress should think it necessary for the safety of the United Colonies to declare them independent of Great Britain, the inhabitants, with their lives and the remnant of their fortunes, will most cheerfully support them in the measure." This admirable paper was printed in Philadelphia, and might have been read by members of Congress during the progress of the first debate on independence.[1]

On the 7th of June, Richard Henry Lee, in behalf of the Virginia delegates, submitted in Congress resolves on independence, a confederation, and foreign alliances. His biographer says that "tradition relates that he prefaced his motion with a speech," portraying the resources of the colonies and their capacity for defence, dwelling especially on the

[1] The "Instructions to their Representatives" by the town of Boston were adopted and printed in May, and are in the "Pennsylvania Evening Post" of June 8.

bearing which an independent position might have on foreign powers, and concluded by urging the members so to act that the day might give birth to an American Republic.[1] The motion was:—

"That these United Colonies are, and of right ought to be, free and independent States, that they are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain is, and ought to be totally dissolved.

"That it is expedient forthwith to take the most effectual measures for forming foreign alliances.

"That a plan of confederation be prepared and transmitted to the respective colonies for their consideration and approbation."

John Adams seconded the motion. The Journal of Congress says, "that, certain resolutions respecting independency being moved and seconded," they were postponed till to-morrow morning, and "that the members were enjoined to attend punctually at ten o'clock in order to take the same into their consideration." Jefferson says that the reason of the postponement was that the House were obliged to attend to other business. This record indicates that no speech was made on that day.[2]

The next day was Saturday. John Hancock, the President, was in the chair; and Charles Thomson was the Secretary. The resolves were immediately referred to a committee of the whole, in which Benjamin Harrison presided,—the

[1] Lee, in "Life of Richard Henry Lee," says (vol. i. 169), that as soon as the instructions arrived, the delegates appointed Lee to move a resolution conformably to them. Madison (Writings, iii. 282) says, that the duty, in consequence of the death of Peyton Randolph, devolved on Lee, as the next in order on the list of delegates. On the 27th of May "the delegates of North Carolina and the delegates from Virginia laid before Congress certain instructions which they received from their respective conventions." (Journals of Congress, ii. 183.) Elbridge Gerry, on the 28th of May, sent these instructions to James Warren, saying: "Their conventions have unanimously declared for independency, and have in this respect exceeded their sister colonies in a most noble and decisive measure." —Life of Gerry, i. 181.

[2] Memoir, &c., ed. 1830, p. 10. Bancroft (viii. 289) does not name any speech delivered on the 7th.

confidential correspondent of Washington, and subsequently governor of Virginia. They were debated with animation until seven o'clock in the evening, when the President resumed the chair, and reported that the committee had considered the matter referred to them, but, not having come to any decision, directed him to move for leave to sit again on Monday.

In Congress, on Monday, Edward Rutledge moved that the question be postponed for three weeks. The debate on this day continued until seven o'clock in the evening. Not a single speech of any member is known to be extant. Jefferson, at the time, summed up the argument used by the speakers during both days. It was said by James Wilson, Robert R. Livingston, Edward Rutledge, John Dickinson, and others, that, though they were friends to the measures themselves, and saw the impossibility that they should ever be united with Great Britain, yet they were against adopting the motion at that time. Their main reason was the lack of unanimity. It was said that the people of the Middle Colonies were not ripe for bidding adieu to British connection, as was shown by the ferment into which the Resolution of the Fifteenth of May had thrown them, but that they were fast ripening, and in a short time would join the general voice of America; that with such want of unanimity there was little reason to expect an alliance with the powers named; that France and Spain had reason to be jealous of that rising power which would certainly strip them of all their American possessions, and would be more likely to form a connection with the British court, which, to recover the colonies, would agree to restore the Canadas to France and Florida to Spain. On the other side, it was urged by John Adams, Richard Henry Lee, George Wythe, and others, that no one had argued against the policy or the right of separation from Britain, or had supposed it possible that they should ever renew their connection, but that the only opposition was to an immediate declaration; that the

question was not whether by a declaration of independence they should make themselves what they were not, but whether they should declare a fact which already existed; that the people were waiting for Congress to lead the way; that they were in favor of the measure, though the instructions given to some of the representatives were not; that the effect of the Resolution of the Fifteenth of May proved this,—for the murmurs against it, in the Middle Colonies, called forth the voice of the freer part of the people, and proved them to be a majority in favor of it; that it would be vain to wait either weeks or months for perfect unanimity, since it was impossible that all men should ever become of one sentiment on any question. It was said that a declaration of independence alone could render it consistent with European delicacy for European powers to treat with them or receive an ambassador from them.[1] Besides the general summary of Jefferson, are a few individual notices. Wilson avowed that the removal of the restriction on his vote did not change his view of his obligation to resist independence, while John Adams defended the proposed measures as "objects of the most stupendous magnitude, in which the lives and liberties of millions yet unborn were intimately interested."[2] The result may be given in the words of Jefferson: "It appearing in the course of these debates that the colonies of New York, New Jersey, Pennsylvania, Delaware, Maryland, and South Carolina, were not yet matured for falling from the parent stem, but that they were fast advancing to that state, it was thought most prudent to wait awhile for them." It was agreed in committee of the whole to report to Congress a resolution which was adopted by a vote of seven colonies to five. This postponed the resolution on independence to the first day of July; and "in the

1 The summary of Jefferson occupies four pages of the Memoir printed in 1830, in the "Memoir, Correspondence, and Miscellanies from the Papers of Thomas Jefferson." It is said in the preface, "This is the first disclosure to the world of those debates."

2 The citations are from Bancroft, viii. 391.

mean while, that no time be lost, a committee be appointed to prepare a declaration in conformity to it." On the next day a committee was chosen for this purpose by ballot: Thomas Jefferson of Virginia, John Adams of Massachusetts, Benjamin Franklin of Pennsylvania, Roger Sherman of Connecticut, and Robert R. Livingston of New York. On the 12th, a committee of one from each colony was chosen to report the form of a confederation, and a committee of five to prepare a plan of treaties to be proposed to foreign powers.

When Congress postponed the vote on independence, the popular movement in its favor was in full activity. Some of the members left this body to engage in it. Others promoted it by their counsel. One of them, John Adams, on the Sunday intervening between the two days of the great debate, wrote: "Objects of the most stupendous magnitude, and measures in which the lives and fortunes of millions yet unborn are intimately connected, are now before us. We are in the midst of a revolution the most complete, unexpected, and remarkable of any in the history of nations."[1] Perils were multiplying on every side. The Indians were scalping along the border settlements. Carleton was driving the continental army out of Canada. The Howes, with a powerful land and naval force, were threatening New England, and moving on New York. Parker's fleet was approaching Charleston. The loyalists were arming and rising in Delaware, New Jersey, and New York. "Armies," it was said, "composed of Hessians, Hanoverians, Regulars, Tories, and Indians, were plundering and murdering, while the king was amusing a distressed people with the sound of commissioners crying peace when there was no peace."[2] "Anxiety," says Tucker, "and apprehension invaded every breast. Every public assembly, every religious congregation, every scene of social intercourse, or of domestic privacy and

[1] Letter, June 9, 1776. Life and Works of John Adams, ix. 391.
[2] Article in "Connecticut Courant," June 17, 1776.

retirement, was a scene of deliberation on the public calamity and impending danger."[1] The colonies were without a government, or military supplies, or money. They were strong in courage and indomitable will. "America," says Walter Savage Landor, "was never so great as on the day when she declared her independence. In fact no nation is ever greater than at the time it recovers its freedom from under one apparently more powerful."[2]

The combination of an internal enemy with foreign invaders has goaded nations to madness; but, in America if it added intensity to the party strifes, it seems to have also increased the caution of the popular leaders. The Resolution of the Fifteenth of May connected the question of local government with that of independence. In the Middle Colonies, the popular party, with these issues on their banners, were met by a powerful combination of Tories and friends of the proprietary interests, opposed to change and revolution. Thus a providential current was checked and chafed by dams, and there was the noise of many waters. It would be idle to say that the Whigs were always in the right, and the Tories always wrong. There began at this period, in localities where the war became one of extermination, excesses that were shocking to the common humanity. Congress had enjoined upon the people "to take care that no page in the annals of America be stained by the recital of any action which justice or Christianity might condemn;" now in a resolve it strove to keep their cause in the line of order;[3] and during the month of June, the wild power of passion spent itself mostly in hot words and goading crimination. The political appeals continued to be

[1] Tucker's Blackstone, i. part 1, 84.

[2] The Works of Walter Savage Landor, London edition, 1868, i. 126.

[3] The vote of Congress in June, in relation to the treatment of the Tories, shows the desire to keep the cause free from excesses. It is in the "Philadelphia Evening Post" of June 18. "*Resolved*, That no man in these colonies charged with being a Tory, or unfriendly to the cause of American liberty, be injured in his person or property, unless the proceeding against him be founded on an order of this Congress," or committee, &c.

high toned, and to embody the reverent spirit and the true heroism of patriots.[1] "May America," writes one, "rise triumphant, blossom as the rose, and swell with increasing splendor, like the growing beauties of the spring, bearing in her right hand the great charter of Salvation, the Gospel of the Heavenly Jesus, and in the left the unfolding volumes of Peace, Liberty, and Truth."[2]

Pennsylvania was fairly alive with the idea of independence. Nowhere had the question been more thoroughly discussed than in its press; and nowhere was the opposition to it more strongly intrenched, for it had on its side the proprietary government. Tories could point to the instructions of the Assembly against it as the voice of an eighth of the inhabitants of America. Then, too, warm advocates of independence — Charles Thomson, for instance — desired to retain the charter; agreeing in this with the Tories, the majority of the Quakers, and the proprietary party. Hence it is not easy to describe the political feeling with precision.[3] Personal preferences and political rivalries, however, gave way before the power of ideas. It was the policy of the Whigs to avoid national distinctions and provincial narrowness, and to become united "under the sole denomination of Americans;"[4] and it was not possible for them to

[1] The following stanza is in the "New-Hampshire Gazette" of June 8, and the "Connecticut Gazette" of June 28, and in other newspapers: —

"From North though stormy winds may blow
To blast fair Freedom, fragrant flower,
And urge the seas to overflow
The banks, that shield it from their power:
Yet, planted here by God's own hand,
Be not, dear fugitive, dismayed.
The winds shall cease at His command,
The sea's proud waves shall soon be stayed."

[2] Force's American Archives, 4th Series, v. 1171. Under the date of May, 1776; under the signature of "Cosmopolitan."

[3] Reed's Life of Reed, i. 151. On p. 152 may be found a letter of Thomson on the subject of the Charter.

[4] The Twenty-first Rule of the Military Association was: "All national distinctions in dress or name to be avoided, it being proper that we should be united in this general association to defend our liberties and properties, under the sole denomination of Americans." — Pennsylvania Evening Post, April 25, 1776.

rest satisfied with a government which excluded so large a share of population as the Germans, from the ballot. There was also the great fact of Union. Under its influence, the old proprietary party and the popular party buried their former animosities, and united against a common oppression,[1] when, in line upon line, Pennsylvania pledged herself to abide by the decisions of Congress, — a proceeding in which politicians of the type of the Tory Galloway joined.[2]

On this well-prepared soil fell the Resolution of the Fifteenth of May. The principle it embodied was accepted by the popular party as their rule of action, as they had accepted the Continental Association; and they determined that it should be respected as law throughout the province. They said that their governor was commissioned by, and the chartered power of the assembly was derived from, their mortal enemy the king; and that a body of men bound by oaths of allegiance was "disqualified to take into consideration" this Resolution. Fidelity to the cause required the abrogation of all royal authority, and the organization of a government on the authority of the people. The public conviction was embodied in a great public meeting held on the 20th of May at the State House, which was called to order by Major John Bayard, a man of singular purity of character, brave and devout, in which Colonel Daniel Roberdeau, a gallant soldier of the Revolution, presided, and Thomas McKean, an eminent civilian, took a part. The Resolution of Congress was read, when "the people in testimony of their warmest approbation gave three cheers." The instructions of the Assembly against independence, of November 9th, were read, when the meeting unanimously resolved that they had the "dangerous tendency to withdraw this province from that happy union with the other colonies which we consider both our glory and protection." In a protest

[1] Gordon's History of Pennsylvania, 525.

[2] See page 338 for the pledge to abide by the decision of Congress, and page 396 for approval of its proceedings.

to the Assembly denying its authority, and acknowledging that of the Resolution of Congress, it is said: "We are fully convinced that our safety and happiness, next to the immediate providence of God, depends upon our complying with and supporting the said resolve of Congress, that thereby the union of the colonies may be preserved inviolate." [1]

This meeting applied the far-reaching principle, that in matters relating to the welfare of a common country, the union is paramount. An appeal to the public, signed "One of the Seven Thousand who appeared at the State House and swore to support the Union," says: "You will be called on to declare whether you will support the union of the colonies in opposition to the instructions of the House of Assembly, or whether you will support the Assembly against the union of the colonies. We have declared for the former; and we will, at the hazard of our lives, support the Union." [2] This great demonstration was felt throughout the province. The position it took was responded to by local committees, public meetings, and military battalions. The Resolution of the Fifteenth of May was everywhere greeted with enthusiasm. A remonstrance against it, issued by the friends of the old charter, was burnt as a seditious and treasonable libel.[3] But I have space only to give results. The Assembly so far yielded to the outburst of popular feeling as, on the 8th of June, to adopt instructions authorizing the delegates to concur in forming further

[1] The proceedings of this meeting are in the "Pennsylvania Evening Post" of May 21.

[2] Ibid. In Marshall's "Remembrancer" (p. 82) it is stated that the great meeting met in the State-House yard, in the rain, at ten o'clock, and continued until twelve, and that after the adjournment the committee of Philadelphia appointed persons to carry the resolves to the counties.

[3] "We hear that the remonstrance to the Assembly of this Province against the resolve of the Honorable Congress of the 15th inst. (now signing by a few people in this city) was burnt in the most ignominious manner, at Reading, in Berks County, as a seditious and treasonable libel tending to destroy the union of the colonies and to ruin this province." — Pennsylvania Evening Post, May 30. This remonstrance was printed in the issue of this paper of the 23d of May.

compacts between the United Colonies, and in promoting the safety and interests of America, reserving to the people the sole right of regulating their internal government. The committee of Philadelphia had (May 21) issued a circular addressed to the committees of the several counties, saying: "If you wish this province to be restored to their rank in the Continental Union, we recommend you to send a delegation to meet the deputies of the other committees, to agree upon the mode of electing members to a Provincial Convention, " for the express purpose of establishing a new government on the authority of the people only, according to the enclosed recommendation of the Honorable Continental Congress."[1]

This call was enthusiastically responded to. On the 18th of June the conference assembled in Carpenters' Hall. Thomas McKean was the President. On the 24th, this body issued a call for a convention to form a government; and the paper inaugurating the American practice in instituting organic law is so calm, just, and simple, as to denote a period of repose rather than the turmoil out of which it sprung.[2] The conference, on the motion of Benjamin Rush, adopted (June 24) a declaration expressing their determination to concur in a vote of Congress declaring the United Colonies free and independent States, provided that the power of forming the government and the regulation of the internal concerns of each colony be always reserved to the people. This patriotic conference, on giving the finishing stroke to the revolutionary action of Pennsylvania, declared that their procedure did not originate in ambition or in impatience of lawful authority, but that they were driven to it by the first principles of nature, by the oppressions and cruelties of the king and parliament, and had adopted it as the only means that were left to them of pre-

[1] This letter, dated May 21, is in the "Philadelphia Evening Post" of June 13.
[2] This paper was printed in "Pennsylvania Evening Post" of June 25.

serving and establishing their liberties, and transmitting them inviolate to their posterity.

In the three lower counties of New Castle, Kent, and Sussex, or Delaware, independence met with strong opposition. These counties were intimately connected with Pennsylvania, and shared largely its political feelings and agitations. Thomas McKean, who took so prominent a part in the movements in Pennsylvania, was equally prominent in Delaware. On the 22d of March the Assembly instructed its delegates to join in the military operations required for the common defence, to cultivate the Union with the greatest care, and to "avoid and discourage any separate treaty"; but to aim at reconciliation. This restricted the action of McKean and Cæsar Rodney, stanch advocates of independence. The third delegate, George Read, sympathized with Robert Morris and Dickinson, in viewing a change of government and independence premature. The Resolution of the Fifteenth of May brought on a crisis. The popular party in Kent County instructed their delegates to demand of the Assembly compliance with the Resolution, and, in case of a refusal to call a convention, to withdraw, and thus dissolve the House. The anti-revolutionary party presented a remonstrance against this course, and against changing the constitution at that crisis. The popular party won a partial victory. The Assembly, on the 14th of June, authorized their delegates to concur with the other delegates "in forming such further compacts between the United Colonies," and "adopting such other measures as shall be judged necessary" to promote the liberty of America, "reserving to the people of this colony the sole and exclusive right of regulating the internal government and police of the same."[1] On the next day, it declared that all persons holding office should continue to exercise power "in the name of the government of the Counties

[1] Life and Correspondence of George Read, 165, where may be found the other papers cited in the text.

of New Castle, Kent, and Sussex upon Delaware, as they used to exercise them in the name of the king, until a new government should be formed agreeably to the resolution of Congress." Thus the popular party removed the restriction respecting independence, and prepared the way for a new government.[1]

In New Jersey the struggle for independence was exciting and interesting. The opposing parties, both in their elements and in their relation to the cause, were much like those of Pennsylvania.[2] The Governor, William Franklin, continued to the last a zealous and dogged loyalist; and behind him was a strong party for reconciliation. Besides the instructions against independence, the Assembly resolved on a separate petition to the king; when Congress sent to this body the illustrious trio, John Dickinson, John Jay, and George Wythe, to procure a reversal of their determination. They were courteously received on the floor, and urged in addresses that nothing but unity and bravery in the Colonies would bring Great Britain to terms; that she wanted to procure separate petitions; but that such a course would break the Union, when the colonies would be like a rope of sand.[3] The Assembly yielded. It was soon prorogued, and did not reassemble. The political power was vested in a Provincial Congress; representing a constituency who had, in their municipalities, their party organizations, and their Assembly, agreed to abide by the decisions of Congress; and had approved of the Association.[4] The vigorous measures for the common defence met with a generous response. The royal governor, seeing the torrent of public opinion sweeping away the powers and services pertaining to his office, determined to restore the old authority; and he

[1] Force's Archives, 4th Series, vi. 884.

[2] Gordon in the History of New Jersey (1834) uses (pp. 178–180) to describe the parties the language in which he (1829) had described (pp. 524–526) parties in Pennsylvania.

[3] Bancroft, vii. 214.

[4] In pages 340 and 396 will be found the pledges of New Jersey.

issued (May 30) a proclamation summoning the Assembly. Soon afterward a new Provincial Congress — the delegates to which were chosen pursuant to its own ordinance — met on the 10th of June, at Burlington. Jonathan Dickinson Sergeant, John Witherspoon, Frederick Frelinghuysen, — distinguished in the history of the country, — were among the members. They voted that the proclamation of Franklin "ought not to be obeyed;" that "by such proclamation he had acted in direct contempt and violation of the Resolve of Congress of the 15th of May"; and that (June 16) measures be taken to secure his person, as that of an enemy to the liberties of the country. The Governor was confined to his own house, and his case referred to the General Congress, which ordered him to be sent a prisoner to Connecticut. The Provincial Congress voted (June 21) to form a government "for regulating the internal police of the colony, pursuant to the recommendation" of Congress. On the next day a new set of delegates were chosen, who were empowered to join with the delegates of the other colonies in "declaring the United Colonies independent of Great Britain," and entering into a confederacy, "always observing that, whatever plan of confederacy they entered into, the regulating the internal police of this province was to be reserved to the colony legislature."[1]

In Maryland the party in favor of independence encountered peculiar obstacles. Under the proprietary rule the colony enjoyed a large measure of happiness and prosperity. The Governor, Robert Eden, was greatly respected, and to the last was treated with forbearance. "You need," he wrote to his brother, April 28th, "be under no concern about me. I am well supported and not obnoxious to any, unless it be to some of our infernal independents who are in league with the Bostonians."[2] The political power was vested in

[1] Journal of the Provincial Congress in Force's Archives, 4th Series, vi. 1615. The votes relative to Governor Franklin are in the "Pennsylvania Evening Post" of June 18, attested by the President and Secretary of Congress.

[2] MSS. in Jared Sparks's Collection.

a Convention which created the Council of Safety and provided for the common defence. This was, however, so much under the control of the proprietary party and timid Whigs that, on the 21st of May, it renewed its former instructions against independence; and after considering the Resolution of Congress of the Fifteenth of May, and providing for a suspension of the oaths of allegiance, it declared that it was not necessary to suppress every kind of authority under the crown, or to establish government on the power of the people.[1] This action created the issue which stirred the neighboring colonies so profoundly, whether this decision or the recommendation of the United Colonies should stand. The popular leaders determined "to take the sense of the people." Charles Carroll of Carrolton, and Samuel Chase, who had just returned from Canada, entered with zeal into the movement on the side of independence and revolution. Meetings were called in the counties, and the political sentiment embodied in their proceedings harmonized with that of the counties in Virginia and Pennsylvania, and of the towns in Massachusetts, in principle and object. Anne Arundel County declared that the province, except in questions of domestic policy, was bound by the decisions of Congress, that the instructions of this colony against independence ought to be rescinded, and that their own action proceeded "from a thorough conviction that the true interests and substantial happiness of the United Colonies in general, and this in particular, are inseparably interwoven and linked together, and essentially dependent on a close union and continental confederation." This sentiment was embodied in instructions, under ten heads, — as clear, strong, and sound as any paper of the times, — addressed to Charles Carroll, Barrister, Samuel Chase,

[1] The resolves occupy a column of the "Pennsylvania Evening Post" of May 25. In the same issue is a memorial to the Congress of the Committee of the City and Liberties of Philadelphia, dated May 24, saying "that they have beheld with great affliction the Assembly of Pennsylvania withdraw from its union with the Congress," by its action on the Resolve of May 15th.

Thomas Johnson, William Paca, and Charles Carroll of Carrolton. Charles County followed, pronouncing for independence, confederation, and a new government. Talbot County, addressing, among others, Matthew Tilghman, "saw with grief and astonishment the Convention of Maryland, in matters of the utmost importance, resolving in direct opposition to the honorable Congress," and regarded their action on the Resolution of the Fifteenth of May as "a direct breach of the Continental Union." Frederick County (June 17) unanimously resolved: "That what may be recommended by a majority of the Congress equally delegated by the people of the United Colonies, we will, at the hazard of our lives and fortunes, support and maintain; and that every resolution of the Convention tending to separate this province from a majority of the colonies, without the consent of the people, is destructive to our internal safety, and big with public ruin."[1] This was immediately printed. "Read the papers," Samuel Chase wrote on the 21st to John Adams, "and be assured Frederick speaks the sense of many counties."[2] Two days afterward the British man-of-war, Fowey, with a flag of truce at her top-gallant mast, anchored before Annapolis; the next day Governor Eden was on board; and so closed the series of royal governors on Maryland soil. A convention assembled at Annapolis, on the 21st of June, in which were Chase, Carroll of Carrolton, Johnson, and Tilghman; and on the 28th it recalled the former instructions against independence, and authorized the delegates "to concur with the delegates of the other colonies in declaring the United Colonies free and independent States," and in forming a compact or confederation, "provided the sole and exclusive right of regulating the internal government and police of this colony be reserved to the people thereof."[3]

[1] I copy the Resolve of Frederick County as printed from the "Pennsylvania Journal" of June 26, 1776. The proceedings of the several counties are in Force's Archives, 4th Series, Volume vi.

[2] Life and Works of John Adams, ix. 412.

[3] Force's Archives, 4th Series, vi. 1491.

The result was hailed with the liveliest satisfaction by the popular leaders in Congress.

In Georgia there was strong opposition to independence. The Provincial Congress chose a new set of delegates, and on the 5th of April authorized them to join in all measures which they might think calculated for the common good,— charging them "always to keep in view the general utility, remembering that the great and righteous cause in which they were engaged was not provincial, but continental."[1] It was circulated in the newspapers that the delegation were authorized to go to the full length of a separation from Great Britain.

In South Carolina independence was opposed by a large portion of the people. The new government, however, on the 23d of March, gave full authority to their delegates to agree to any measure judged necessary for the welfare of the colony or of America. On the 1st of April the legislature, in an address to the President, said, that their new constitution looked forward to an accommodation with Great Britain, an event, "which, though traduced and treated as rebels, we earnestly desire"; yet on the 6th they declared that the colony "would not enter into any treaty or correspondence with that power, or with any persons under that authority, but through the medium of the Continental Congress."[2]

In New York there was great hesitancy in acting on the question of independence. The external danger was imminent; the internal strife, bitter. A party, which had in its ranks John Jay, Alexander Hamilton, Robert R. Livingston, and George Clinton, was certainly a power; but it had hard odds to contend against, and down to the date of the declaration it had failed to bring over a majority to decisive measures. The course of things here gave the popular

1 "Pennsylvania Evening Post," May 28, 1776.

2 These important resolves were directed to be forthwith printed and made public. They are in the "Pennsylvania Evening Post" of May 28. Also the address to Governor Rutledge and his reply. These papers occupy one side the paper.

leaders in Congress great vexation. In vain did the New-York delegates write letters soliciting instructions on the subject of independence. The Resolution of the Fifteenth of May elicited in the Provincial Congress — in which the political power resided — an elaborate report and, on the 31st of May, a measure designed to ascertain the sense of the electors on the propriety of instituting such government as Congress recommended. The final instruction to the delegates on independence was chilling. In reply to their pressing letter of the 8th of June, the Provincial Congress, on the 11th, advised them, that they were not authorized to vote for independence, that Congress declined to instruct them on that point, and that as measures had been taken to obtain the authority of the people to establish regular government, "it would be imprudent to require the sentiments of the people relative to the question of independence, lest it should create division and have an unhappy influence on the other." However able and brilliant New York might have been in laying down the principles of the Revolution, it was the least unanimous in embodying them in the great measures of independence.[1]

In New England the issues that stirred up the Middle Colonies were already virtually settled. The Governments were in the hands of a people who were longing for a declaration of independence. Only in Massachusetts, however, were the towns called upon to express their views; and the returns showed that a people could not be more united than this people were on the expediency of a declaration of independence. In Connecticut the king's name was disused in issuing writs and civil processes; the governor returned a cordial reply to the circular of Virginia on inde-

[1] Force's Archives, 4th Series, vi. 814. This volume, p. 1299, has the proceedings of the Provincial Congress. On the 11th of June it adopted a series of resolves in relation to local government, and requesting the freeholders to express their opinions "respecting the great question of independency," but agreed to postpone their publication until after the election of deputies, with powers to form a new government.

pendence, expressing "the most sensible satisfaction to see the ancient and patriotic Colony of Virginia had nobly advanced" to the point of instructing their delegates to propose independence; and the legislature, on the 14th of June, instructed their delegates to propose in Congress, "to declare the United American Colonies free and independent States," and to promote a permanent plan of union and confederation,—"saving that the power for the regulation of the internal concerns and police of each colony" be left to the colonial legislature. The New-Hampshire legislature, on the 15th of June, instructed their delegates "to join in declaring the Thirteen Colonies an independent State, . . . provided the regulation of their internal police be under the direction of their own assembly."

In the last days of June the agitation on the question of independence ceased in every colony except New York. Ten colonies — North Carolina, Rhode Island, Massachusetts, Virginia, Pennsylvania, Delaware, New Jersey, Maryland, Connecticut, and New Hampshire — expressed their will in direct action upon it; while Georgia and South Carolina gave commissions to their delegates which covered the power to vote for it. Thus twelve of the United Colonies authorized their representatives to join in making a declaration of independence; and hence designated Congress to perform this high act of sovereignty. Indeed no other course was suggested. "Such a declaration," Judge Drayton said from the bench, "was of right to be made only by the general Congress, because the united voice and strength of America were necessary to give a desirable credit and prospect of stability to a declared state of total separation from Great Britain."[1] The unanimity was thought remarkable. The secret and providential influence which disposed

[1] Charge in a court in Charleston, Oct. 15, 1776, "On the rise of the American Empire." He says: "A decree is now gone forth not to be recalled! and thus has suddenly risen in the world a new empire, styled The United States of America." — American Remembrancer, v. 327.

the hearts and minds of the people to form a union,[1] and to give the union the force of law, disposed them to go forward together and assume rank as a nation.

All through this popular movement, the union is seen acting in obedience to the primal law of self-preservation, — clinging to life, and frowning on whatever tended to destroy life. Yet in all the enthusiasm roused by unfurling a national flag, and the prospect of attaining independence, there is manifested no desire for such consolidation as would weaken the old self-government. The intelligent grasp by the public mind of fundamentals in a republic is seen in the sagacious reservation by each colony of the right to regulate the internal police or to frame the local law. In this way the people, as they entered into the solemn covenant which recognized a common country, marked the outlines of the two spheres of political power — the two orders of trusts — which they intended to establish in a new American system, — local governments for the States, and a general government for the Union. Neither language nor acts could have been desired to show more conclusively that both political units — the State and the Nation — were designed to be paramount, each in its allotted sphere.

The publicity attending every important movement relative to independence enabled the members of Congress to judge for themselves of the state of public opinion on the question. They could see a type of the sentiment of New England in the noble instructions of Boston, which declared that loyalty to the king had become treason to the country. They could know the spirit that triumphed in the Middle Colonies, from the admirable Declaration of the Pennsylvania Conference, which averred that the public virtue would be endangered by a longer connection with Great Britain. They had the determination of the Southern Colonies, as embodied in the strong papers of North Carolina and Vir-

[1] See the citation from Ramsay on p. 398.

ginia.[1] On the 29th of June they might have read a fresh and most spirited expression of the public feeling in an article in a Philadelphia newspaper, denouncing in severe terms those who thought of reconciliation; and, with the remark that Americans could not offer terms of peace with Great Britain until they had agreed upon a name, suggesting that the contemplated power be called The United States of America.[2]

The popular verdict had settled the question in favor of a declaration of independence; and as the expectation was general, if not universal, that it should be made at once, to postpone it was to hazard internal convulsion. The form only remained to be determined upon. The committee appointed to report a draft requested their chairman, Jefferson, to prepare one, which he did. He submitted his manuscript to Franklin and Adams separately, members whose critical judgment he valued the most; and each made a few verbal alterations, still to be seen in their handwriting. Then the paper was read in a meeting of the committee, and, without further alterations, was accepted. It was reported in Congress on the 28th of June, and ordered to lie on the table. On the same day Francis Hopkinson of New Jersey, one of the five new members from that colony, "all independent souls," presented instructions in favor of a declaration.

Congress, as assembled on the first day of July in Independence Hall, contained probably fifty-one delegates.[3] Some met for the first time. The names of the new members, and of others who signed the declaration but who were not yet elected, are found connected with the past revolu-

[1] The papers referred to in the text were printed in the Philadelphia newspapers.

[2] "Republicus," in the "Pennsylvania Evening Post," June 29. He says: "The condition of those brave fellows who have fallen into the enemies' hands makes a declaration of independence absolutely necessary, because no proper cartel for an exchange of prisoners can take place while we remain dependents. It is some degree of comfort to a man taken prisoner, that he belongs to some national power, — is the subject of some State that will see after him."

[3] Bancroft, viii. 459.

tionary action of their several colonies. Among the delegates were the enterprising merchant, the learned lawyer, the eminent divine, the profound jurist, and the ripe scholar. It was a body remarkably rich in individuality of character, containing illustrious men: "not such as they are lauded by chosen encomiasts, but as they are proved to have been" by their character, designs, and works. Thus their political ideas had an anchorage in morals, law, order, and religion; and they acted upon principle to a degree unparalleled in the examples of collective public virtue.[1] John Hancock and Samuel Adams were under sentence of proscription from the king. Franklin, "the genius of the day and the patron of American liberty,"[2] had fame as wide as civilization. Many were destined to serve their countrymen in a new political system, as representatives, senators, judges, governors, and cabinet officers; others, to enlarge the bounds of knowledge by contributions to literature and science; and the greater number, to live to a great age, and to see the fruits of their labors ripen. John Adams and Thomas Jefferson, to the honor of that generation, rose to be presidents. They were permitted to linger among a new generation, beloved and venerated; and after passing an old age of singular beauty and glory, to enter into their rest, on the fiftieth anniversary of the event which, by their large service in hastening it, is indelibly associated with their memories. On this morning of an eventful day Adams expressed the foregone conclusion as he wrote of the work laid out: "Heaven prosper the new-born republic, and make it more glorious than any former republics;"[3] while Jefferson had the sanction of his colleague to the great instrument which embodied the principles on which the republic was to be based.

The preliminary business having been disposed of, the resolution of the Maryland Convention on independence was

[1] American Quarterly Review, i. 437.

[2] This term was applied to him in the newspapers in June, 1776.

[3] John Adams to Archibald Bullock, July 1. Works, ix. 414.

read; and this trophy of a hard political fight diffused general joy. The order of the day was read, when Congress voted to "resolve itself into a committee of the whole to take into consideration the resolution respecting independency," and to refer "the draft of the declaration to this committee." Benjamin Harrison was called to the chair. The new delegates from New Jersey now desired to hear the question discussed, and Richard Stockton was so importunate that several remarked, "Let the gentlemen be gratified." "All was silence," John Adams writes. "No one would speak. All eyes were turned upon me. Mr. Edward Rutledge came to me and said, laughing, 'Nobody will speak but you upon this subject. You have all the topics so ready that you must satisfy the gentlemen from New Jersey.'" Others also said to him, "You must recapitulate the arguments." Adams, somewhat confused at this personal appeal, rose and began: "This is the first time of my life when I seriously wished for the genius and eloquence of the celebrated orators of Athens and Rome, called in this unexpected and unprepared manner to exhibit all the arguments in favor of a measure the most important in my judgment that had ever been discussed in civil or political society. I had no art or oratory to exhibit, and could produce nothing but simple reason and plain common sense. I felt myself oppressed by the weight of the subject; and I believe if Demosthenes or Cicero had ever been called to deliberate on so great a question, neither would have relied on his own talents without a supplication to Minerva, and a sacrifice to Mercury or the god of eloquence."[1] No further report of this unpremedi-

[1] "All this," he says, "to be sure, was but a flourish, and not, as I conceive, a very bright exordium." — John Adams to Mrs. Mercy Warren, dated "Quincy, 1807." I am indebted to Hon. Charles H. Warren for a copy of this letter, which may be found in the appendix. Daniel Webster (Curtis's Life, ii. 295) in a letter dated Jan. 27, 1846, says: "So far as I know there is not existing in print or manuscript the speech, or any part or fragment of a speech, delivered by Mr. Adams on the Declaration of Independence." The biographer of Adams (Works, i. 228) says of this speech, "Not a word has been transmitted to posterity." Adams in his Autobiography (Works, iii. 58) gives some of the incidents attending this speech, but not the exordium.

tated speech is known to be in existence. According to one statement he set forth the justice, the necessity, and the advantages of a separation from Great Britain; dwelt on the neglect and insult with which their petitions had been treated by the king, and on the vindictive spirit which showed itself in the employment of German troops to compel the colonists to unconditional submission; and concluded by urging the present time as the most suitable for separation, because it had become the desire of the communities which the delegates represented.[1] Another account says, that he urged the immediate dissolution — and the questions of time and form were really the only open questions — of all political connection of the colonies with Great Britain, "from the voice of the people, from the necessity of the measure in order to obtain foreign assistance, from a regard to consistency, and from the prospects of glory and happiness which opened beyond the war, to a free and independent people."[2] This speech was replied to by John Dickinson. He began an elaborate argument in favor of the postponement of a declaration by saying, that the member from Massachusetts introduced his defence of a declaration by invoking a heathen god, but that he should begin his objections to it by solemnly invoking the Governor of the Universe so to influence the minds of the members, that if the proposed measure was for the benefit of America, nothing which he should say against it might make the least impression.[3] He said: —

"I value the love of my country as I ought, but I value my country more, and I desire this illustrious assembly to witness the integrity, if not the policy of my conduct. The first campaign will be decisive of the controversy. The declaration will not strengthen us by one man, or by the least supply, while it may expose our soldiers to additional

[1] Bancroft, viii. 452.

[2] Ramsay's History of the American Revolution, i. 341.

[3] Ibid., i. 341. This remark of Dickinson, with the positive statement of Dr. Ramsay and others, that Adams invoked the god of eloquence, occasioned the letter of 1807 already cited.

cruelties and outrages. Without some prelusory trials of our strength, we ought not to commit our country upon an alternative where to recede would be infamy, and to persist might be destruction. With other powers it would rather injure than avail us. Foreign aid will not be obtained but by our actions in the field, which are the only evidences of our union and vigor that will be respected. Before such an irrevocable step shall be taken, we ought to know the disposition of the great powers; and how far they will permit any one or more of them to interfere. The erection of an independent empire on this continent is a phenomenon in the world; its effects will be immense, and may vibrate round the globe. The formation of our governments, and an agreement on the terms of our confederation, ought to precede the assumption of our station among sovereigns. When this is done, and the people perceive that they and their posterity are to live under well regulated constitutions, they will be encouraged to look forward to independence, as completing the noble system of their political happiness. The objects nearest to them are now enveloped in clouds, and those more distant appear confused; the relation one citizen is to bear to another, and the connection one State is to have with another, they do not, cannot know. The boundaries of the colonies ought to be fixed before the declaration. The unlocated lands ought also to be solemnly appropriated to the benefit of all. Upon the whole, when things shall thus be deliberately rendered firm at home and favorable abroad, then let America, 'Attollens humeris famam et fata nepotum,' bearing up her glory and the destiny of her descendants, advance with majestic steps and assume her station among the sovereigns of the world."[1]

No member immediately rose to reply to this speech;

[1] Adams says in his Autobiography, written twenty-nine years afterward (1805), while Dickinson had published his speech, he made no preparations beforehand, and never committed any minutes of his to writing. His letter is dated 1807. The citations in the text are copied from Bancroft, viii. 452-456.

and, after waiting some time, Adams again took the floor, saying that he believed he could answer to the satisfaction of the House all the arguments which had been produced, notwithstanding the ability they displayed, and the eloquence with which they had been enforced.[1] No further account of his reply has appeared. James Wilson now said that he had at an early day foreseen independence as the probable, though not the intended result of the contest, and had uniformly declared in his place that he never would vote for it contrary to his instructions; nay, that he regarded it as something more than presumption to take a step of such importance without express instructions and authority. For ought that act to be the act of four or five individuals, or should it be the act of the people of Pennsylvania? But now that their authority was given by the conference of committees, he stood on very different ground, and could no longer agree with his colleague.[2] Others spoke, — Paca of Maryland, "who behaved nobly," McKean, of Delaware, and Edward Rutledge being named. Samuel Adams could hardly have kept silent during a long debate on a question in which he was so deeply interested. There is, however, no report of what they or others said. Imagination alone can supply the picture of a scene indelibly impressed on the minds of those present.[3]

The question before the committee was the portion of the motion relating to independence, submitted by the Virginia delegates on the 7th of June. The New-York members read their instructions, and were excused from voting. Of the three delegates from Delaware, Rodney was absent, McKean was in the affirmative, Read in the negative, and thus the vote of this colony was lost. South Carolina was in the negative; and so was Pennsylvania, by the votes of Dickinson, Willing, Morris, and Humphries, against those

[1] Works of John Adams, iii. 55. [2] Bancroft's History, viii. 456.

[3] "A scene which has ever been present to my mind," George Walton, a delegate from Georgia, wrote, Nov. 7, 1789. John Adams's Works, iii. 56.

of Franklin, Morton, and Wilson. Nine Colonies — New Hampshire, Connecticut, Massachusetts, Rhode Island, New Jersey, Maryland, Virginia, North Carolina, Georgia — voted in the affirmative. The committee rose, the President resumed the chair, and Harrison reported the resolution as having been agreed to. Edward Rutledge, of South Carolina, said, that were the vote postponed till the next day, he believed that his colleagues, though they disapproved of the resolution, would then join in it for the sake of unanimity. The final question, in accordance with this request, was postponed until the next day; but it was agreed to go into a committee of the whole then on the draft of the declaration.

On the second day of July, probably fifty members were present in Congress. After disposing of the business of the morning, it resumed the consideration of the resolution on independence, and probably without much debate proceeded to vote. McKean sent an express to Rodney, at Dover, which procured his attendance, and secured the vote of Delaware in the affirmative; while the same result was reached for Pennsylvania by Dickinson and Morris absenting themselves, and allowing Franklin, Wilson, and Morton to give the vote against Willing and Humphries.[1] The South-Carolina delegates concluded to vote for the measure. Thus twelve colonies united in adopting the following resolution: "That these United Colonies are and of right ought to be free and independent States; that they are absolved from all allegiance to the British crown, and that all political connection between them and the State of Great Britain is and ought to be totally dissolved." And now John Adams wrote, in a generous enthusiasm: "The greatest question has been decided which ever was debated in America, and a greater perhaps never was or will be decided among men."[2] The United Colonies were then decreed the political unit of the United States of America.

[1] Thomas McKean to John Adams, Aug. 20, 1813. Niles's Register, xii. 306. Also (Ibid., 278) Letter to William Corkle & Son, June 16, 1817.

[2] Letter dated July 3, 1776.

Congress went immediately into committee of the whole to consider the draft of a Declaration of Independence, or the form of announcing the fact to the world. During the remainder of that day, and during the sessions of the third and fourth, the phraseology, allegations, and principles of this paper were subjected to severe scrutiny. Its author relates: "The pusillanimous idea that we had friends in England worth keeping terms with still haunted the minds of many. For this reason, those passages which conveyed censure on the people of England were struck out, lest they should give them offence. The clause, too, reprobating the enslaving the inhabitants of Africa was struck out in complaisance to South Carolina and Georgia, who had never attempted to restrain the importation of slaves, and who, on the contrary, wished to continue it. Our Northern brethren also, I believe, felt a little tender under those censures; for though their people had very few slaves themselves, yet they had been pretty considerable carriers of them to others."[1] The striking out of the passage declaring the slave trade "piratical warfare against human nature itself," was deeply regretted by many of that generation. Other alterations were for the better, making the paper more dispassionate and terse, and — what was no small improvement — more brief and exact. On the evening of the fourth, the committee rose, when Harrison reported the Declaration as having been agreed upon. It was then adopted, as follows, by twelve States, unanimously, as "The Declaration by the Representatives of The United States of America in Congress assembled": —

"When, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth the separate and equal station to which the laws of Nature and of Nature's God entitle them, a decent respect for the opinions of mankind requires that they

[1] Memoirs of Jefferson, i. 15.

should declare the causes which impel them to the separation.

"We hold these truths to be self-evident—that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness; that, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate, that governments, long established, should not be changed for light and transient causes; and accordingly all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of these colonies; and such is now the necessity which constrains them to alter their former systems of government. The history of the present king of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these States. To prove this, let facts be submitted to a candid world.

"He has refused his assent to laws the most wholesome and necessary for the public good.

"He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation, till his assent should be obtained; and, when so suspended, he has utterly neglected to attend to them.

"He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature — a right inestimable to them, and formidable to tyrants only.

"He has called together legislative bodies, at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measures.

"He has dissolved Representative Houses repeatedly, for opposing, with manly firmness, his invasions on the rights of the people.

"He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the legislative powers, incapable of annihilation, have returned to the people at large, for their exercise; the State remaining, in the mean time, exposed to all the dangers of invasion from without, and convulsions within.

"He has endeavored to prevent the population of these States; for that purpose obstructing the laws for naturalization of foreigners; refusing to pass others, to encourage their migrations hither, and raising the conditions of new appropriations of lands.

"He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.

"He has made judges dependent on his will alone, for the tenure of their offices, and the amount and payment of their salaries.

"He has erected a multitude of new offices, and sent hither swarms of officers to harass our people and eat out their substance.

"He has kept among us, in times of peace, standing armies, without the consent of our legislatures.

"He has affected to render the military independent of, and superior to, the civil power.

"He has combined with others, to subject us to a jurisdiction, foreign to our constitution, and unacknowledged by

our laws; giving his assent to their acts of pretended legislation: —

"For quartering large bodies of armed troops among us:

"For protecting them by a mock trial, from punishment for any murders which they should commit on the inhabitants of these States:

"For cutting off our trade with all parts of the world:

"For imposing taxes on us, without our consent:

"For depriving us, in many cases, of the benefits of trial by jury:

"For transporting us beyond seas, to be tried for pretended offences:

"For abolishing the free system of English laws in a neighbouring province, establishing therein an arbitrary government, and enlarging its boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies:

"For taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our governments:

"For suspending our own legislatures, and declaring themselves invested with power, to legislate for us in all cases whatsoever.

"He has abdicated government here, by declaring us out of his protection, and waging war against us.

"He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people.

"He is, at this time, transporting large armies of foreign mercenaries, to complete the works of death, desolation, and tyranny, already begun, with circumstances of cruelty and perfidy, scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation.

"He has constrained our fellow-citizens, taken captive on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

"He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions.

"In every stage of these oppressions, we have petitioned for redress, in the most humble terms: our repeated petitions have been answered only by repeated injury. A prince whose character is thus marked, by every act which may define a tyrant, is unfit to be the ruler of a free people.

"Nor have we been wanting in attention to our British brethren. We have warned them, from time to time, of attempts made by their legislature, to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred, to disavow these usurpations, which would inevitably interrupt our connexions and correspondence. They, too, have been deaf to the voice of justice and consanguinity. We must, therefore, acquiesce in the necessity, which denounces our separation, and hold them, as we hold the rest of mankind — enemies in war; — in peace, friends.

"We, therefore, the Representatives of the United States of America, in General Congress assembled, appealing to the Supreme Judge of the world, for the rectitude of our intentions, Do, in the name and by the authority of the good people of these colonies, solemnly publish and declare, that these United Colonies are, and of right ought to be, Free and Independent States; that they are absolved from all allegiance to the British crown, and that all political connexion between them and the State of Great Britain is and ought to be totally dissolved; and that as Free and Independent States, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which Independent States may of

right do. And for the support of this declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor."

Congress ordered that the Declaration be authenticated; printed under the direction of the committee that reported it;[1] sent to the several committees and conventions, and the commanding officers of the Continental troops; and proclaimed in each of the United States, and at the head of the army. A committee — Franklin, John Adams, and Jefferson — were directed to prepare a device for the seal of "The United States of America."

The Declaration went forth authenticated by John Hancock, President, and Charles Thomson, Secretary. It was received in the new convention of New York on the 9th of July, and referred to a committee of which John Jay was the chairman, who reported the same day, when the convention, pronouncing the reasoning of the Declaration cogent and conclusive, resolved to support it with their fortunes

[1] A letter dated Philadelphia, July 5, in the "Continental Journal," Aug. 8, 1776, says the Declaration was "published yesterday." On the 5th the President transmitted copies, printed probably on a broadside, to several assemblies. The "Pennsylvania Evening Post" of Saturday, the 6th, contains it, signed by order of Congress, John Hancock, President, and Charles Thomson, Secretary. It is printed with great accuracy. It is in the "Maryland Gazette" of July 11, the "Continental Journal" (Boston) of July 18, and "New-Hampshire Gazette" of July 20. A synopsis of it is in the "Virginia Gazette" of July 19, and in full in that of the 26th.

Jefferson's original draft was printed in "Niles's Weekly Register" of July 3, 1813, from a copy in his handwriting, found among the papers of George Wythe, and communicated by his executor to the editor of the "Richmond Inquirer." It is said there had been "much curiosity and speculation" about this paper.

In 1824 Timothy Pickering in his "Review" of the Cunningham Correspondence printed the original draft from a copy made from one in Jefferson's handwriting — the same which he sent on the 8th of July to Richard Henry Lee.

In 1840 it was printed in the "Papers of James Madison" purchased by Congress, from the copy which Jefferson sent in his own handwriting to Madison.

A *fac-simile* of the original draft, with the interlineations of Franklin and Adams, and the erasures, was printed in 1829, in Randolph's "Memoir, Correspondence, and Miscellanies," from the papers of Thomas Jefferson, from Jefferson's own copy; in 1853, in "The Writings of Thomas Jefferson," printed from his original manuscripts in the Department of State, purchased by Congress, and edited by H. A. Washington; in 1858, in the "Life of Thomas Jefferson," by Henry S. Randall.

and their lives, and ordered it transmitted to the county committees. They announced their action as that of "The representatives of the State of New York."

Thus the Declaration of Independence became the act of the Thirteen United States.

According to the journals, Congress, on the 19th of July, resolved that the "declaration, passed on the 4th, be fairly engrossed on parchment, with the title and style of 'The unanimous Declaration of the Thirteen United States of America,' and that the same, when engrossed, be signed by every member of Congress." On the second day of August the journals say, "The Declaration being engrossed, and compared at the table, was signed by the members."[1] On

[1] This manuscript is preserved in the office of the Secretary of State. In the proposals to print an engraving of it, with *fac-similes* of the signers, dated March, 1816 (Niles's Register, Vol. x. 310), it is said there was no authentic copy of it in print. This splendid engraving was published in November, 1819. A *fac-simile* of the engrossed copy is in the 5th Series of Force's Archives, i. 1595. The copy in the text is printed from this copy.

The statements relative to signing the Declaration are conflicting. Jefferson states that it was signed generally on the 4th (Memoirs i. 94), and he in other places reiterates this statement, but this manuscript is not known to be extant. (Randall's Jefferson, i. 171). John Adams, on the 9th of July (Works, ix. 417), says, "As soon as an American seal is prepared, I conjecture the Declaration will be superscribed by all the members."

Thomas McKean, in a letter dated June 16, 1817 (Niles's Register, xii. 280) says: "Probably copies with the names then signed to it were printed in August, 1776." One of the signers, Thornton, was not a member until Nov. 4. But the list was otherwise incorrect. The early lists, in law books and other works, omitted the name of McKean, which is not in the list printed by Ramsay in 1789 (vol. i. 346), nor in the "Journals of Congress," published by authority, by Folwell, in 1800 (vol. ii. 232). The fifty-six signers are as follows: —

New Hampshire — Josiah Bartlett, William Whipple, Matthew Thornton.

Massachusetts — John Hancock, Samuel Adams, John Adams, Robert Treat Paine, Elbridge Gerry.

Rhode Island — Stephen Hopkins, William Ellery.

Connecticut — Roger Sherman, Samuel Huntington, William Williams, Oliver Wolcott.

New York — William Floyd, Philip Livingston, Francis Lewis, Lewis Morris.

New Jersey — Richard Stockton, John Witherspoon, Francis Hopkinson, John Hart, Abram Clark.

Pennsylvania — Robert Morris, Benjamin Rush, Benjamin Franklin, John Morton, George Clymer, James Smith, George Taylor, James Wilson, George Ross.

Delaware — Cæsar Rodney, George Read, Thomas McKean.

the 20th of January, 1777, it was voted that an authenticated copy, with the names of the signers, be sent to each of the United States, with the request that it be put on record.

There is no mention of the service of the members who took part in the proceedings except what has been related. Richard Henry Lee and George Wythe returned to Virginia, and were not in Congress when the question was taken; and there is not a word of Gerry, of Franklin, or of Samuel Adams, — who could hardly have kept entirely silent. There is nothing recorded of Hancock, whose bold signature stands first and most conspicuous. Daniel Webster describes Samuel Adams as "of the deepest sagacity, the clearest foresight, and the profoundest judgment in men," and as one who hungered and thirsted for the independence of his country.[1] Some of the signers were not members when the question was taken; but it does not follow that they had no part in bringing it about. Large service was rendered on local fields by some who had been or were to be members: among them Gadsden in South Carolina, Nelson in Virginia, Chase in Maryland, McKean in Delaware, Rush in Pennsylvania, Sergeant in New Jersey, Jay in New York; and Thornton signed the first State paper suggesting independence in New Hampshire, and signed the Declaration, though not a member until November.

John Dickinson and John Adams stand forth the most prominently in the debates, and their great encounter was on the 1st of July. The speech of Dickinson, delivered on that day, is preserved entire, — the only speech delivered in

Maryland — Samuel Chase, William Paca, Thomas Stone, Charles Carroll of Carrolton.

Virginia — George Wythe, Richard Henry Lee, Thomas Jefferson, Benjamin Harrison, Thomas Nelson, Jr., Francis Lightfoot Lee, Carter Braxton.

North Carolina — William Hooper, Joseph Hewes, John Penn.

South Carolina — Edward Rutledge, Thomas Heywood, Jr., Thomas Lynch, Jr., Arthur Middleton.

Georgia — Button Gwinnett, Lyman Hall, George Walton.

[1] Works of Daniel Webster, i. 136.

these debates known to be extant. It is clear, strong, marked by great ability; and in making it he courageously acted up to his convictions. He breasted the popular will. He required too many great questions to be settled at once, and thus embodied the conservatism that unwisely holds back. He ran counter to the time, and his voice was no longer that of an accepted leader. A few sentences only of the great speech of John Adams on this occasion remain. He then was fully roused; for on that debate of nine hours "all the powers of the soul had been distended with the magnitude of the object";[1] and of this speech he wrote, "I wish some one had remembered the speech, for it is almost the only one I ever made that I wish was literally preserved."[2] The tribute of his contemporaries to this grand service is full and unreserved. "John Adams," said Jefferson to Daniel Webster, "was our Colossus on the floor. He was not graceful, nor elegant, nor remarkably fluent, but he came out occasionally with a power of thought and expression, that moved us from our seats."[3] Madison well recollected that "his fellow-laborers in the cause from Virginia filled every mouth in that State with the praises due to the comprehensiveness of his views, the force of his arguments, and the boldness of his patriotism."[4]

The high honor of having been the author of the Declaration belongs to Jefferson; for the changes by the committee of the whole in the original draft altered neither the arrangement, the tone, nor the general character. His genius for political science, and his talent of compressing sentiment into maxims, enabled him to embody so faithfully the current thought of his countrymen as to mirror the soul of the nation. This, and not originality, is the crowning merit of this immortal paper. In preparing it neither book nor pamphlet was referred to; but so thoroughly imbued was its

[1] Jefferson's Letter, dated Paris, Aug. 29, 1787.
[2] John Adams to Mercy Warren, 1807.
[3] Ticknor's relation in Curtis's Life of Webster, vol. i. 589.
[4] Writings, vol. iii. 204.

author with the republican spirit of the Parliamentarians of the times of the Commonwealth, that the paper reflects their dignity of thought and solidity of style. "To say that he performed his great work well would be doing him injustice. To say that he did it excellently well, admirably well, would be inadequate and halting praise. Let us rather say, that he so discharged the duty assigned him, that all Americans may well rejoice that the work of drawing the title-deed of their liberties devolved upon him." [1]

To welcome this great State-paper, thousands in all the States rested from their daily toil, and gathered at their accustomed places of meeting. The occasion of its proclamation was the event of the day in hundreds of villages, towns, cities, and counties. The record of the proceedings is voluminous. There were imposing assemblages that listened to the reading from the balcony of the Old State House, in Boston; in New Hampshire, at Portsmouth and Amherst; in Rhode Island, at Newport and Providence; in New York, at the City Hall; in New Jersey, at Trenton; in Delaware, at Dover; at Philadelphia, in Independence Square, when the Liberty Bell of the State House was rung; in Maryland, at the Baltimore Court House; in Virginia, at Williamsburg; in North Carolina, at Halifax; in Georgia, at Savannah; and at other places too many to enumerate. Similar terms of description will apply to most of the proceedings. The civil authorities were present. The military paraded, bearing the standard of the United States. The salutes were often by thirteen divisions. The population gathered as on gala days. The Declaration was read amidst the acclamations of the people, mingled with the roll of drums and the roar of cannon. Then followed the feast and the toasts, and in the evening bonfires and illuminations, with the removing or destruction of the emblems of royalty.[2]

[1] Works of Daniel Webster, i. 127. Jefferson gave the portable writing-desk on which he wrote the Declaration to Joseph Coolidge, Jr. It is now in Boston.—Mass. Hist. Soc. Proceedings, 1855–58, p. 151.

[2] The newspapers contain full accounts of these occasions.

In some celebrations there were peculiar features. Such was the case in the rural town of Amherst, New Hampshire, the shire-town of Hillsborough County. The committee of safety required the Declaration to be proclaimed by the sheriff. He, accompanied by the greater number of the magistrates of the county, and a large body of citizens, escorted by the militia, marched to the church, and attended prayers. Then the procession went to the parade ground, and there formed in a circle round an eminence. Here the sheriff on horseback, with a drawn sword in his hand, read the Declaration. "After that was done, three cheers were given, colors were flying, drums beating; the militia fired in thirteen divisions, attended with universal acclamations."

In Savannah, Georgia, the executive officers and council met in the Council Chamber and listened to the Declaration; then proceeded to the square before the Assembly House, where it was read before a great concourse, after which the Grenadiers and Light Infantry fired a general volley. Then a procession, with the Grenadiers in front, the Provost Marshal with his sword drawn, the Secretary with the Declaration, and the civil authorities, closing with the Light Infantry, went to the Liberty Pole, where they met the Georgia Battalion, when there was another reading, and salutes were fired. The procession then went to the Battery, where the paper having been read for the last time, cannon were again discharged. The principal gentlemen dined in a grove of cedar trees, and in the evening the town was illuminated.[1]

A few of the narratives report the words spoken on these occasions. In Delaware, at Dover, a picture of the king was carried by a drummer in a procession; the military marched to slow time, and then formed in a circle round a fire, when the president of the day committed the portrait

[1] Washington, on proclaiming His Majesty's Declaration of War against France, in 1756, at Winchester, Va., marched his troops to several places, where it was read. See p. 134.

to the flames, saying, "Compelled by strong necessity thus we destroy even the shadow of that king who refused to reign over a free people;" on which three loud huzzas rose from the multitude assembled.[1] In Savannah, in the evening, an effigy of the king was borne in a procession, and buried before the Court House; the speaker saying "that George the Third had most flagrantly violated his coronation oath, trampled upon the constitution of the country and the sacred rights of mankind. . . . Let us remember America is free and independent; that she is, and will be, with the blessing of the Almighty, great among the nations of the earth. Let this encourage us in well doing, to fight for our rights and privileges, for all that is near and dear to us. May God give us His blessing and let all the people say Amen."[2] At Cumberland, New Jersey, the gathering was large, the procession moved to the court house, and, after the reading and an address, the peace officers' staves having the king's coat of arms were burned in the streets. The address by Dr. Elmer, the chairman of the committee,—one of the few things of this kind preserved entire,—is admirable, embodying the spirit of fidelity to law, as well as to liberty, characteristic of the time. He said that the Declaration had been brought about by unavoidable necessity, and had been conducted with a prudence and moderation becoming the wisest and best of men; that a new era in politics had commenced; that no people under heaven was ever favored with a fairer opportunity of laying a sure foundation for future grandeur and happiness; and that it was impossible for any one possessed of the spirit of a man who is a friend to the United States, to stand by, an idle spectator, while his country was struggling and bleeding in her own necessary defence, and that all such ought to be shunned as enemies or despised as cowards.[3]

[1] Biography of the Signers, viii. 100.
[2] Force's Archives, 5th Series, i. 882.
[3] Ibid., 811.

No State paper was ever more widely circulated, or more thoroughly read, or more heartily indorsed, than the Declaration. The act it justified was hailed everywhere with a feeling as spontaneous as the joy that burst forth on the destruction of the tea, or the fraternity that was manifested on the passage of the Port Act. "Was there ever a resolution brought about," wrote Samuel Adams, "especially so important as this, without great internal tumults and violent convulsions? The people, I am told, recognize the resolution as though it were a decree promulgated from Heaven."

But the strictly official action, following the transmission of the Declaration by the President of Congress to the civil and military authorities, is far too important to be omitted.

The President, in sending (July 5th and 6th) the Declaration to the assemblies and conventions, said that Congress had judged it necessary to dissolve all connection between Great Britain and the American colonies, and requested that its action be proclaimed in the manner that might be thought best. The approval of its terms was general. The Massachusetts Assembly (September 4) expressed their "entire satisfaction" with it; their congratulations on the very general approbation it met with among all ranks of people in the United States; and pledged their fortunes, lives, and sacred honor to support it. The South Carolina Assembly said (September 20) that it was with the most unspeakable pleasure they expressed their joy and satisfaction at the measure. "It is a decree now worthy of America," say the council. "We thankfully receive the notification of and rejoice at it; and we are determined at every hazard to endeavor to maintain it, that so, after we have departed, our children and their latest posterity may have cause to bless our memory." The greater number, if not all, the Assemblies made similar pledges. The Maryland Assembly resolved that they would maintain the freedom and independence of the United States with their lives and fortunes;

the North Carolina Council added, under the sanction of virtue, honor, and the sacred love of liberty and their country; the Pennsylvania Convention, in behalf of themselves, their constituents, and before God and the world. These ratifications were printed, and in some instances, as was the case in Rhode Island, were read before great assemblages of the civil authorities, the military, and the people.[1] The ratification was hearty and unanimous. These bodies or the councils ordered the Declaration to be published in due form in every locality; as by the selectmen in every town, or by the sheriffs in every county, or by the clergy from the pulpit on Sunday.

The President wrote to the Commander-in-Chief that Congress had for some time been occupied with one of the most important subjects that could possibly come before any assembly of men, which, in obedience to the duty they owed to themselves and to posterity, they had decided in the best manner they were able, and left the consequences to that Being who controls both causes and events, to bring about his own determinations; and he requested Washington to proclaim the Declaration at the head of the army in the way he should think most proper. Washington (July 9) communicated it in a General Order, in which he said: "The General hopes this important event will serve as an incentive to every officer and soldier to act with fidelity and courage, as knowing that now the peace and safety of his country depend (under God) solely on the success of our arms; and that he is now in the service of a State possessed of sufficient power to reward his merit and advance him to the highest honors of a free country." The

[1] The following is the pledge of Rhode Island: —

"State of Rhode Island and Providence Plantations. In General Assembly, July session, 1776. This General Assembly, taking into the most serious consideration the Resolution of the most Honorable the General Congress of the United States of America, of the 4th instant, declaring the said States Free and Independent States, do approve the said Resolution; and do most solemnly engage that we will support the said General Congress, in the said Resolution, with our Lives and Fortunes.

"A true copy. HENRY WARD, *Secretary*."

Declaration was read at six o'clock that evening at the head of each brigade, when copies of it were freely distributed. "The expressions and behavior," wrote Washington, "of officers and men, testified their warmest approbation." "Three cheers," writes another, "proclaimed the joy of every heart in the camp." In other places there were military parades and rejoicings. At Ticonderoga, "the language of every man's countenance was, "Now we are a free people, and have a name among the States of the world."

This picture of joy and exultation of a free people — this pledge of life and fortune — had its shadow in the anguish in their homes created by internal war and foreign invasion. The land was poor, and the future all uncertain; but the sentiment of nationality — the fresh emotion of country — was inspiration, and it was strength. The people were confident that their cause would raise up defenders; and though the cloud of war made their horizon as the night, yet a living faith in the providence of God looked up in trust, and in the darkened sky saw golden hues that gave the promise of the morning.

I have endeavored to traverse the course of events — as one prepared the way for another — by which the subjects of thirteen dependent colonies became transformed into citizens of independent States. They undoubtedly had a right, at the outset, to resist the obnoxious measures separately, or as distinct communities, each in its own way, and each fighting its own battle, as was insidiously suggested by the tory leaders: they might have continued this policy in declaring their independence; and if success, and not ruin, had been the result, they might have decreed that each should have external as well as internal powers of sovereignty, or the right to deal with foreign nations as well as the right to regulate their "internal police."[1] But they did not choose this course. They strove so persistently as dis-

[1] Reports of Decisions in the Supreme Court. Curtis, i. 100.

tinct communities to unite in general measures of resistance, that for ten years Union was the key to their politics. It grew to be a conviction that a common country was a necessity; and when they came to act on the large scale of assuming national powers, they declared their independence by a joint act. Hence they became one nation. The stages of the "national birth"[1] were the ripening of public sentiment, the delegation of power, the resolution declaring the colonies independent States, the Declaration, and the ratification. Thus the united colonies assumed their station as The United States. That generation comprehended the greatness of the result. John Adams said that it would be "a memorable epoch in the history of America. I am apt to believe that it will be celebrated by succeeding generations as the great anniversary festival. It ought to be commemorated as the day of deliverance by solemn acts of devotion to God Almighty."[2] Colonel Haslett wrote: "I congratulate you on the important day which restores to every American his birthright; a day which every freeman will record with gratitude, and the millions of posterity will read with rapture."[3]. "It is the most important event," it was said in the press, "that has ever happened to the American colonies;" and it was predicted that, as a grand era in their history, it would be celebrated by anniversary commemorations through a long succession of future ages.[4]

[1] That decisive and important step (Independence) was taken jointly. We declared ourselves a nation by a joint, not by several acts. — President Jackson's proclamation, Dec. 10, 1832.

Madison (Writings, iii. 337) terms the action of Virginia in instructing her delegates, May 15, 1776, "A link in the history of our national birth."

[2] Letter dated July 3, 1776. The important portion of this celebrated letter was printed in "The Universal Asylum," for May, 1792. A few phrases are different in this copy from the letter in the works of John Adams, ix. 420. Thus: the words in the last, "of the thirteen," are not in the copy in the Asylum. The publication for March has the two letters of Adams, dated July 1, 1776.

[3] Letter to Cæsar Rodney, July 6, 1776. Biography of the Signers, viii. 99. Col. Haslett was the commander of the Continental troops in Delaware.

[4] The "Continental Journal," of Boston, of July 18, 1776, contains the following under the New York head: "The first (fourth?) instant was rendered remarkable by the most important event that ever happened to the American colonies, — an

The contemporary prophecy breathed the assurance that the entire series of divine dispensations, from the infant days of the fathers of America, was big with omens in her favor, and pointed to something great and good, — a faith that the grand chorus of praise and thanksgiving which greeted the Declaration would echo along the line of future generations.

The Declaration not only announced that the heretofore dependent colonies were independent States, but that they were United States, meaning that the same Union which had existed between them as colonies, should be continued between them as States.[1] Hence it has been termed the fundamental act of Union.[2] It was an embodiment of the public will, as a source of authority, when it was the will of the people composing one nation.[3] This act, however, did not consist merely in the Declaration issued by Congress, but embraced the prior action of the colonies conferring the power to adopt the measure, and the subsequent ratification of it by them. They were successive stages of one joint act, by which the Declaration of Independence was ordained and established as organic law. It was a covenant of country in which the people recognized the providential development of Union. This Union had already been consecrated by precious blood and revered memories. Joint effort, common suffering, and patient labor, were to make it more perfect. Thus, hardening more and more into a mighty historic force, it was bequeathed as a sacred possession to posterity.

event which will doubtless be celebrated through a long succession of future ages by anniversary commemorations, and be considered as a grand era in the history of the American States. On this auspicious day the Representatives of the Thirteen United Colonies, by the Providence of God, unanimously agreed to and voted a Proclamation declaring the said colonies to be Free and Independent States, which was proclaimed at the State House in Philadelphia, on Monday last, and received with joyful acclamations."

[1] "A Brief Enquiry into the Nature and Character of our Federal Government," p. 40. This was written by Hon. Abel P. Upshur.

[2] Letters and other writings of James Madison, iii. 482.

[3] "In our complex system of polity, the public will, as a source of authority may be the will of the people as composing one nation," &c. — Madison's Letters &c., iii. 479.

The Declaration established Union as a fundamental law by the side of the old law of Diversity. These laws appear as correlative forces, the existence of the one being dependent on that of the other; and, in their normal requirements they are so free from antagonism or conflict, that fidelity to one cannot be treason to the other, while obedience to both — each paramount in its sphere — constitutes the life, harmony, and glory of the American political world. On the one rests local self-government; on the other National Union. These historic ideas, entwined like warp and woof, influenced results along the whole line of the revolutionary struggle; and, if as it advances, the Union appears to grow more stern and to become at times imperative, yet there is evinced the same determination to secure the right of local government in future from internal violation, as there had been in the past to protect it from foreign aggression.

The Declaration transformed the sentiment of nationality into the fact of nationality; thought into reality. This was the precise nature of the birth. The revolutionary leaders expressed it exactly, — the birth of the Nation. The transcendent fact of Union was now joined to the fact of a Republic. This Union was the country. This feeling of country does not come of compacts, cannot be improvised by great men, but is a growth, a development. It is the moral power, or the influence, or the spirit that precedes the letter or the forms of organic law. It sprang from the aggregate of habits, energies, affections — the inner life — of a free people, imbued with a traditionary republicanism to such a degree that they unconsciously applied it in their customs and laws, and thus attained a common character. They grew into the feeling that they had the right, as individuals, to a country all their own, — a right to the incalculable benefits of a Fatherland for which the language has no term, but a love for which Providence has planted deep in the human heart. Its spirit breathes in national song. Its power is symbolized in the national flag. Americans felt the full force of the inspiration.

The Declaration announced to the world the fact of The United States of America, and the justification of the fact. The existence of a new political sovereignty *de facto* among the nations is sufficient to establish it *de jure*. Sovereignty, as used in matters of international law, is classed as external and internal. To render external sovereignty perfect, it is necessary that the established powers should act; for it is by their recognition that a new power effects an entrance into the society of nations, and enjoys its advantages, — enters upon the rights to which nations are entitled, and the duties they are called upon reciprocally to fulfil. Hence the external sovereignty of the United States was imperfect until other nations recognized its independence. It was not so with its internal sovereignty. This was at once complete within the limits of its own territory, and in all action relating to its own citizens, — none the less complete for its not having been recognized by foreign powers. Nor were its people any the less a nation for their not having attained an adequate general government. They delegated the power to sever their relations with the monarchy, and to take steps to form a new government or confederation, and not only left the local law undisturbed, but stipulated that each community should retain full right over its domestic affairs; and this right was by the Declaration freed from the interference of a foreign power.

The Declaration changed the allegiance of the individual from the monarchy to the new political unit of the United States. This power — in the language of Congress, in treaties, in official letters, in the thought of American statesmen, termed at once a nation — was in a state of war with Great Britain, and all persons residing in its jurisdiction were expected to govern themselves accordingly. The popular party accepted the declaration as though it were law; just as they accepted the Association and the Resolve on local government. It was the title-deed of the individual unit to his right in a common country. It was a test of

loyalty. Whoever upheld it was counted as a friend; whoever spoke against it was an enemy; whoever took up arms against it was guilty of treason.

The Declaration embodied the doctrine of the fundamental equality of the race, and thus clothed abstract truth with vitalizing power. Its mighty sentences aver as self-evident "that all men are created equal: that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it and institute new government, laying its foundation on such principles and organizing its powers in such form, as shall to them seem most likely to effect their safety and happiness." This is the American theory, expressed "in words the memory of which can never die."[1] It includes far more than it expresses: for by recognizing human equality and brotherhood, and the individual as the unit of society, it accepts the Christian idea of man as the basis of political institutions;[2] and by proclaiming the right to alter them to meet the progress of society, it provided for the results of a tendency to look, not to the past, but to the future, for types of perfection that was brought into the world by Christianity.[3] To maintain such a theory were fought the battles of the revolution. To build on it a worthy superstructure of government and law, was the work entered upon by heroes and sages, and bequeathed to posterity.

The Declaration met the requirements of the American cause. "It has had a glorious effect — has made these col-

[1] Buckle's History of Civilization, i. 846.

[2] See pages 6 and 9 of this work.

[3] Maine's Ancient Law, 71. He remarks: "Ancient literature gives few or no hints of a belief that the progress of society is necessarily from worse to better."

onies all alive," writes one.[1] "The continent should defend the continent,"[2] was the great thought of another. The conviction was general that American liberty could find permanent security only in the protection of an American Republic. The ideal of what this Republic ought to embrace as to territory, the earnest devotion to principle, and the self-reliant Americanism of that remarkable era, are reflected in the terse war-cry: —

> "In vain do ye rely on foreign aid,
> By her own arm Columbia must be freed.
> Rise, then, my countrymen! for fight prepare,
> Gird on your swords and fearless rush to war!
> 'Tis your bold task the generous strife to try,
> For your grieved Country nobly dare to die
> And empty all your veins for Liberty!
> No pent-up Utica contracts your powers,
> But the whole boundless Continent is yours."[3]

A just cause, maintained in such a spirit, commanded the respect of the liberal world,[4] and its triumph was desired throughout Europe. "The Declaration" says one historian, "had an immense effect. . . . The cause was so noble and the effort was so grand, that there was not a doubt, not a hesitation, in the sentiment of the entire world, and that governments and the rulers of States

[1] Letter of William Whipple, a signer, July 16, 1776. Force's Archives, 5th Series, i. 368.

[2] Letter of Samuel Tucker, President of the New Jersey Provincial Congress, to John Hancock, July 9, 1776. Ibid., 139.

[3] "A new Epilogue to Cato," in the "Continental Journal" of April 30, 1778. This was written by Jonathan Mitchell Sewall. It was altered by the author for his collection of Poems printed in 1801.

[4] It is curious to contrast this judgment with that of the tory school. Thomas Hutchinson was true to this school to the last. He pronounced the reasons of the Declaration "false and frivolous," and the counts "a list of imaginary grievances." He avers that "there were men in the principal colonies who had independence in view" before the Stamp Act, and soon after the reduction of Canada. His "Strictures upon the Declaration of the Congress at Philadelphia, addressed to the Rt. Hon. the E —— of ——" is dated London, Oct. 15, 1776. He cites the Declaration in paragraphs, and denies the soundness of its principles, and the accuracy of nearly all its statements. This is a bitter partisan production.

would seek glory by thinking like the people."[1] Buckle, sympathizing with "the great people who gloriously obtained their independence," remarks that their Declaration "ought to be hung up in the nursery of every king, and blazoned on the porch of every royal palace."[2]

[1] Histoire des Français, par J. C. L. Simonde de Sismondi, &c., 30 p. 139.
[2] History of Civilization in England, London Ed., 1857, i. 846.

CHAPTER XII.

How the People by ordaining the Constitution of the United States instituted Republican Government.

1776 to 1790.

When the people of the United States assumed rank as a nation, the conviction was general that a common country and national government were essential to promote the public welfare. The first result they reached of a confederation, matured in Congress and ratified by the legislatures of the States, created a government depending on the local authorities to give effect to its decrees, and proved inadequate to meet their wants. When this became manifest, a general convention ordained and established a "Constitution for the United States," which was ratified by the people, acting as separate communities through local conventions. They thus instituted a self-sustaining Republican government.

By the Declaration of Independence the sovereignty of the thirteen colonies passed from the crown to the people dwelling in them, not as an aggregate body, but as forming States [1] endowed with the functions necessary for their sepa-

[1] President Monroe, in tracing American institutions to their origin, says that two important facts are disclosed. "The first is, that in wresting the power, or what is called the sovereignty, from the crown, it passed directly to the people. The second, that it passed directly to the people of each colony, and not to the people of all the colonies in the aggregate: to thirteen distinct communities, and not to one. To these two facts, each contributing its equal proportion, I am inclined to think we are, in an eminent degree, indebted to the success of our Revolution." — Niles's Register, xxii. 366.

"The people of the United States must be considered attentively in two very different views, — as forming one nation great and united, and as forming at the same

rate existence; also States in union. Whoever had refused to acquiesce in the decisions of the head of the Union, Congress, had been summarily dealt with. The individual had been disarmed, the assembly had been annulled, the governor had been imprisoned: the Union in its sphere was paramount.

Congress for several years continued to be the political power. As the war began, so it virtually ended, under its direction. The spirit of the people, and the necessity of combining their strength, supplied the place of efficient political machinery.[1] "In every stage of the conflict," says a contemporary, "from its commencement until March, 1781, the powers of Congress were undefined, but of vast extent. . . . Never was a movement so spontaneous, so patriotic, so efficient. The nation exerted its whole faculties in support of its rights and of its independence."[2] Whatever power Congress had exercised, even to the creation of a dictator, was acquiesced in by the people. This power, however, was strictly influence, not government. It was foreseen that, although enthusiasm and patriotism might be relied on in the struggle for independence, yet after it was over American liberty could be secure only in American law.[3] Not one of the popular leaders, perhaps, had a just conception of the political machinery which the public needs required; and as to the powers to be conferred, beyond the few of a national character already vested in the Union, all was vague. There were, however, in the public mind sharply defined objects; and "it is impossible to overrate

time a number of separate States, to that nation subordinate, but independent as to their own interior government. This very important distinction must be continually before our eyes. If it be properly observed, every thing will appear regular and proportioned: if it be neglected, endless confusion and intricacy will unavoidably ensue." — James Wilson's Works, ii. 122.

[1] Bancroft, ix. 57.

[2] President Monroe. Niles's Register, xxii. 364.

[3] A different view is taken by high authority Thus John Quincy Adams, in his Jubilee Oration, says of the people: "In the enthusiasm of their first spontaneous, unstipulated, unpremeditated union, they had flattered themselves that no general government would be required," &c. — p. 10. See pp. 479–483.

the importance to a nation or profession to have a distinct object to aim at in the pursuit of improvement."[1] The general aim as presented in the newspapers was a system of organic law adequate to meet the requirements of a people who deemed local self-government and national union to be institutions as real as habeas corpus and trial by jury.

The work was going on when the Declaration was made. The people of six colonies, under the advice of Congress, had established governments independent of the crown, which governments Congress, as the political power, recognized as the public authority. "From the moment of the Declaration," it was said, "every thing assumed a new appearance." New terms came into use. The colonies had been transformed into States; and hence Congress habitually designated them as "Sovereign, Free, and Independent States," and referred to these States in Union as a nation. Thus Congress declined to receive peace-commissioners, because they did not present letters of credence "to an independent State;" and they would listen only to such terms as might consist "with the honor of an independent nation."[2] In fact the people of thirteen States, imbued with the spirit of a new political life, which gave them a distinctive character as Americans, by working together for years to vindicate their rights, and by combining their strength to defend them, had grown unconsciously into a nation.[3] The work of con-

[1] Maine's Ancient Law, 75.

[2] Journals of Congress, iv. 253, v. 175, vii. 52. In an ordinance, "a free and independent nation," vii. 59. The Revolutionary statesmen, habitually, in their correspondence use the word "nation." It will be found in the diplomatic correspondences of Jefferson and John Adams, and in the treaties they made.

[3] "Nation. A body of people inhabiting the same country, or united under the same sovereign or government, as the English nation or French nation." — Webster's Dictionary.

"When any society of men, or body politic, is united for the purposes of government and for mutual protection, we are accustomed to call such society or body politic a state or nation." — Encyclopædea Americana, Law of Nations.

"By the Declaration of Independence the colonies became a separate nation from Great Britain." — Tucker's Commentaries on Blackstone, vol. ii. App. 54. "On which day they declared themselves an independent and sovereign nation." — Ibid. i., part ii. p. 101.

structing government had necessarily to go on during the confusions of a distressing war, in the vicissitudes of which eleven of their capitals were occupied by the enemy.

In New Jersey, several townships, after the imprisonment of the Governor, petitioned the Provincial Congress to comply with the recommendation of the General Congress to form local governments. A committee, two days after its appointment, reported (June 24, 1776) a constitution. The Provincial Congress was answering pressing appeals for powder and troops, disarming all "whose religious principles would not permit them to bear arms," preparing to meet an insurrection of the Tories,—in a word, exercising the powers of government. On the second day of July it adopted the "Constitution of New Jersey." The government thus established went into full operation, and lasted sixty-eight years.

The Delaware Assembly advised the people of each of the three counties to choose ten delegates to meet in convention and ordain a government. The electors acted accordingly. The convention, on the 20th of September, 1776, adopted a constitution which continued sixteen years.

In Maryland the convention, exercising powers of government on the 3d of July, called a convention "for the express purpose of forming a new government by the authority of the people only, and enacting and ordering all things for the preservation, safety, and general weal of the colony." In pursuance of this call, delegates were elected and met in convention. On the 3d of November they agreed upon a Declaration of Rights, and on the 8th upon a constitution. This Convention also exercised the powers of

"This Declaration has ever been considered, by the constituents of those who made it, to mark the era of their birth as a nation." — George Tucker, History of United States, i. 173.

"In truth Anglo-America had, almost unknown to herself, grown into a separate nation." — Gordon's History of Pennsylvania, 538.

"The Declaration passed July 4, when the United States were declared to be, and became in fact, an independent nation." — Sparks's Franklin, i. 406.

government. The constitution thus formed was not changed for seventy-five years.

In Pennsylvania the convention called to frame a constitution assembled in Philadelphia on the 12th of July, chose Franklin President, and assumed the powers of government. On the 28th of September the members signed a constitution, declared it to be in force and ordered it to be laid before the Charter Assembly. This body, however, denounced the convention, and declared that no obedience was due to its ordinances. On the 26th "the House rose." This was the end of the charter. The constitution was not satisfactory to a portion of the popular party, and a large public meeting held in Independence Square instructed their delegates to propose amendments.[1] The following year, when the State was threatened with invasion, Samuel Adams, Mr. Duer, and Richard Henry Lee, were appointed a committee of Congress, to exercise, in conjunction with the high officers of the State, all authority requisite for the public safety; and the commanders of the Continental forces were ordered to support their authority. The State amended its constitution in 1790.

In North Carolina the Provincial Congress vested the political power in a council of safety consisting of twelve members, who (July 24, 1776) signed a pledge to carry out the decisions of the Provincial Congress and the General Congress. The council recommended (Aug. 9, 1776) the good people of the State "to pay the greatest attention" to the election of delegates on the 15th of October, and particularly to have this in view, that it will be their business "not only to make laws for the good government of, but

[1] In the "Pennsylvania Evening Post" of March 13, 1777, is an appeal "To the citizens of Philadelphia to amend the Constitution," in which it is said: "Massachusetts amended her constitution at Watertown, within four miles of Howe's army; New Jersey made her government, within sight of the whole body of the British and Hessian troops, on Staten Island; Virginia made their government when Lord Dunmore was spreading devastation on every part of the seacoast; and New York is at this time framing her government, although several of their counties are now in possession of the enemy."

also to form a constitution for this State; that this last, as it is the corner-stone of all law, so it ought to be fixed and permanent; and that as it is well or ill ordered it must tend in the first degree to promote the happiness or misery of the State." The delegates elected under this advice convened at Halifax, and on the 18th adopted a Bill of Rights and constitution which lasted sixty-nine years.

In Georgia the government was vested in a Provincial Council. The President, by proclamation, called a convention to meet at Savannah in October, on the warrant of the resolution of Congress of The Fifteenth of May. In a circular letter the people were enjoined to adopt such government as would "conciliate the affections of the United States; for under their shadow they would find safety, and preserve to themselves their invaluable rights," though "they should be purchased with garments rolled in blood." The convention adopted a constitution on the 5th of February, 1777. It was peculiar in permitting the delegates to Congress to sit and vote in the assembly, in requiring this body to advise with the council in making laws, and in enacting that the vote in the council should be by counties. It was in force but eight years.

In New York the draft of a constitution was submitted by John Jay, and was adopted by a convention which was exercising the powers of government, on the 20th of April, 1777. It was ordained and declared by this body, "in the name and by the authority of the good people" of the State. It was pronounced superior to any of the constitutions, and forty-five years elapsed before a convention was called to amend it.

A glance has been given at the six States which formed governments before the Declaration of Independence. South Carolina amended hers in 1778, "to accommodate it to that great event." Virginia did not alter hers until the memorable convention met in 1829. Rhode Island and Connecticut did not displace their charters for many years.

New Hampshire provided a new government in 1784. Massachusetts, after rejecting one form mainly because it did not contain a Bill of Rights, adopted in 1780 a constitution which was not amended until 1820. It was not only an improvement on all that preceded it; but the American method of preparing and establishing an organic law was pursued in all its stages. The existing authority called a convention, to be composed of delegates chosen as the representatives were, for the sole purpose of preparing a frame of government. These delegates assembled in convention, matured a constitution which had been reported by John Adams, Samuel Adams, and James Bowdoin; and, after submitting it to the people to be voted on, adjourned. They reassembled to receive the returns of the votes. After examination they declared the constitution adopted.

I have not space to analyze these constitutions. In all there were the three departments, — the Executive, Legislative, and Judicial; and these were rendered independent of one another. In most of the States the executive was hampered by a council. In Pennsylvania and Georgia the legislature consisted of one branch; in the others of two branches, according to the custom of the colonial period. In four States the Governor was to be chosen by the people; in the others, by the legislature.

These constitutions were said to be "ordained, declared, established," and were not to be altered unless in the manner pointed out. Thus they assume to be modes of action different from ordinary acts of legislation. They were universally recognized and held to be such. They were really decrees of the people as constituting the sovereignty. They prescribed the degrees and spheres of power by which their agents or "trustees" periodically chosen to make or administer the laws were to be governed in their various departments. Their sphere is internal government. Their provisions give validity and continuity to the body of local law. In no instance is there power conferred on these local

agents to deal with foreign nations. This function had been vested by the same sovereignty in a congress; and the constitutions contain provisions for the appointment of members to compose it.

These governments went immediately into operation. Well-known characters were selected to fill the high offices. At the head of Virginia were Henry, and then Jefferson; of Massachusetts, Hancock, and then Bowdoin; of Maryland, Johnson; of New Jersey, William Livingston; of New Hampshire, successively, Weare, Langdon, and Sullivan; of Connecticut, Trumbull; of South Carolina, John Rutledge, and then Rawlins Lowndes; of North Carolina, Caswell; of Pennsylvania, Joseph Reed, and subsequently Franklin; of Delaware, George Read; of New York, George Clinton. These names gave *éclat* to the new governments. This field of labor and honor proved more attractive than the national council; and the work of enfranchising the local law from features derived from European traditions — the abolition of entails, primogeniture, and an established church — worthily employed the time and thought of the most able statesmen.

The spectacle of republican order was a novelty in the political world. Congress characterized the result as thirteen independent States formed with republican governments, on the basis of "the rights of human nature," saying that "the citizens of the United States were responsible for the greatest trust ever confided to a political society."[1] "Thirteen governments," John Adams wrote, "thus founded on the natural authority of the people alone, without a pretence of miracle or mystery, which are destined to spread over the northern part of that whole quarter of the globe, are a great point gained in favor of the rights of mankind. The experiment is made, and has completely succeeded."[2]

[1] Journals of Congress, 8, 201. Address to the States, April 26, 1783, drawn by Madison.

[2] Defence of the American Constitution, by John Adams, Ed. Phil. 1787, Preface, xii. Dated Grosvenor Square, London, Jan. 1, 1787.

In the mean time the formation of a republican government for the United States, or an American Constitution, kept so continuously before the public mind, was awaited with deep interest. Several plans had appeared in the newspapers, and the subject was embraced in the motion on Independence, submitted in Congress by Richard Henry Lee, on the 7th of June, 1776. On the 11th they voted to appoint a committee "to prepare and digest the form of a confederation to be entered into between these colonies;" and the next day they voted that it should consist of one member from each colony.[1] On the 12th of July they reported articles, which were drawn up by John Dickinson. Eighty copies were ordered to be printed for the use of the members, the strictest secrecy being enjoined as to their publication.[2]

There is a voluminous history connected with the successive stages of this plan. "One great question," John Adams wrote on the 29th of July, "is how we shall vote, — whether each colony shall have one, or whether each shall have weight in proportion to its number or wealth, or imports or exports, or a compound ratio of all? Another is whether Congress shall have authority to limit the dimensions of each colony, to prevent those which claim by proclamation, or commission, to the South Sea, so as to be dangerous to the rest."

[1] The Committee consisted of Josiah Bartlett of New Hampshire, Samuel Adams of Massachusetts, Stephen Hopkins of Rhode Island, Roger Sherman of Connecticut, Robert R. Livingston of New York, John Dickinson of Pennsylvania, Thomas McKean of Delaware, Thomas Stone of Maryland, Thomas Nelson, Jr., of Virginia, Joseph Hewes of North Carolina, Edward Rutledge of South Carolina, Button Guinnett of Georgia. Francis Hopkinson, of New Jersey, was appointed June 28.

[2] Notwithstanding the injunction of secrecy, a copy of the articles purporting "to have been signed by all the delegates the 4th of October" appeared in Europe. They differ materially from the articles as finally agreed upon, and number sixteen. The articles adopted are thirteen in number. In the "Annual Register" for 1776 they follow the Declaration of Independence. They are in "Almon's Remembrancer," vol. iv. 240.

Slavery is not named in this letter. The silence of the popular leaders on this question is remarkable. It was ignored as a political issue in general politics, though emancipation was freely advocated in pamphlets and newspapers. Nearly all the colonies sought to abolish the slave-trade; in all emancipation was desired; and stronger language could hardly have been chosen than that in which slavery was denounced at this period by the most illustrious of the Revolutionary statesmen.[1] They looked forward to its abolition. The work, however, was left to each State. Still, in adjusting the political power, slavery had to be taken into account. The earliest division between large slaveholding States and States in which slavery was of little account was in October, 1777, when the rule was adopted for the distribution of the quotas to be assessed on the States. All property in slaves was exempted. Slavery was not the great difficulty of that period. The broadest political sentiment was embodied in the State papers coming from the largest slaveholding States. Though slavery necessarily had to be considered in the political arrangements, it did not seriously disturb current politics until after the invention of the cotton-gin and the increase of the culture of cotton.

The plan submitted by the committee did not meet the cordial approval of the members of Congress. The questions of commerce, the public lands, taxation, the relative positions of the large and small States, were difficult to settle. Then the pressing demands of the war and the uncertainty as to the future caused delay. Hence sixteen months elapsed before Congress could agree upon articles of confederation. On the 15th of November, 1777, they were transmitted by the president, Henry Laurens, to the several legislatures, with the recommendation that their respective

[1] "The abolition of domestic slavery is the great object of slavery in those colonies where it was unhappily introduced in their infant state." — Jefferson's Summary of Rights, 1774. There is no more terrible denunciation of slavery than may be found in Query xviii. of Jefferson's "Notes in Virginia," written in 1781.

delegates be authorized to ratify them in the Congress of the United States.[1]

A circular letter accompanied the articles. It commends them as a plan "for securing the freedom, sovereignty, and independence of the United States;" as the best that could be adapted to the circumstances of all; as the only one which afforded any tolerable prospect of general ratification; as "essential to their very existence as a free people," and without which they might "soon be constrained to bid adieu to independence, to liberty and safety."

The following extract from this letter embodies the current feeling relative to the States and the Union: "Permit us then earnestly to recommend these articles to the immediate and dispassionate attention of the legislature of the respective States. Let them be candidly reviewed under a sense of the difficulty of combining in one general system the various sentiments and interests of a continent divided into so many sovereign and independent communities, under a conviction of the absolute necessity of uniting all our councils and all our strength to maintain and defend our common liberties; let them be examined with a liberality becoming brethren and fellow-citizens, surrounded by the same imminent dangers, contending for the same illustrious prize, and deeply interested in being for ever bound and connected together by ties the most intimate and indissoluble; and finally let them be adjusted with the temper and magnanimity of wise and patriotic legislators, who while they are concerned with the prosperity of their own more immediate circle, are capable of rising superior to local attachments when they may be incompatible with the safety and glory of the general confederacy."

The thirteen legislatures now discussed the articles, bringing to this work the results of experience in the past,

[1] Journals of Congress, iii. 404. Thirteen copies of the articles were ordered to be made out, signed by the President, and forwarded to the several States; and (Nov. 29) they were ordered to be translated into French and sent to Canada.

and fresh from the debates elicited by the framing of the local governments. As a result, nine conferred authority on their delegates in Congress to sign the articles; which were accordingly ratified by them in July, 1778. They, however, were not to be binding unless ratified by all the legislatures. On the 10th of July, Congress issued an appeal to the remaining States "to conclude the glorious compact," saying that they "never ceased to consider a confederacy as the great principle of Union which can alone establish the liberty of America and exclude for ever the hopes of its enemies."

This was a period of great political languor. The burden of the war was severely felt. The blaze of freedom, it was said, that burst forth at the beginning, had gone down; and numbers, in the thirst for riches, lost sight of the original object.[1] "Where," wrote Henry Laurens, the president of Congress to Washington, — "where is virtue, where is patriotism now; when almost every man has turned his thoughts and attention to gain and pleasures, practising every artifice of Change-alley or Jonathan's?"[2]

A train of great events, however, soon revived enthusiasm. The surrender of General Burgoyne and his army (Oct. 16, 1777) was an earnest of the fact that Great Britain could not conquer America. This was followed by the French Treaty and Alliance (Feb. 6, 1778) to estab-

[1] Independent Chronicle, March 12, 1778.

[2] Letter, Nov. 20, 1778. Jonathan's was the name of a coffee-house in London, the great resort of speculators. It is referred to in British periodicals. In the "Gentleman's Magazine" for May, 1767, is the line: "And all the tongues at Jonathan's lie quiet." The British called the Americans Jonathan and Jonathans. A British ballad on the expedition to Rhode Island in 1778, in "Rivingston's Gazette," has, "Jonathan felt bold, sir." The British account of the burning of Fairfield in 1779 uses the term "Jonathan," all through. "The troops faced about and drove Jonathan." "Rivingston's Gazette" in 1780 says, "Col. Delaney took a cannon which the Jonathans in vain attempted to defend." I have not met thus early the term "Brother Jonathan." Water-marks on paper used in 1780 by Washington has a figure that may represent Jonathan as a Yankee in an enclosure, holding a staff with the figure of a hat on the end, over the British lion, moving out of the enclosure. It had on it "Pro Patria."

lish "the liberty, sovereignty, and independence of the United States," — a treaty faithfully carried out by Vergennes to this great result. In a few months Congress received (Aug. 6, 1778) a minister from France, M. Gerard. A description of the imposing ceremonies of the audience closes: "Thus has a new and noble sight been exhibited in this new world, the representatives of the United States of America solemnly giving public audience to a minister plenipotentiary from the most powerful Prince in Europe. Four years ago, such an event, at so near a day, was not in view even of imagination. But it is the Almighty who raiseth up. He hath stationed America among the powers of the earth, and clothed her in robes of sovereignty." [1]

These events produced a profound impression throughout the civilized world. In Parliament the invectives of the opposition against the ministers were terrific. The remedy, said the Duke of Richmond, "is instantly to declare America independent, and withdraw our fleet and armies." [2] The ministry, in bills introduced into Parliament, gave up the points in dispute, and again sent over commissioners of peace. The States were approached separately. One overture was made through Governor Tryon to Jonathan Trumbull, Governor of Connecticut, to tempt that State to act as a sovereignty. He spurned the offer. After remarking that such proposals were usually made "from the supreme authority of one contending power to the similar authority of the other," he said that "all such proposals were to be addressed to the Congress of the United States." [3]

The drawback on the rising fortunes of the Republic was a failure to ratify the Confederation. Lord North used this fact in Parliament to justify his hope of effecting disunion, and it gave uneasiness to France. The obstacle to a ratifi-

[1] Continental Journal, Aug. 17, 1778.

[2] The "General Advertiser," London, of March 30, 1778, contains the Duke of Richmond's speech, and is very severe on the administration.

[3] Trumbull's Reply to Tryon is dated April 23, 1778. The Bills, "Tryon's Letter and the Reply," are in the "Continental Journal," April 30, 1778.

cation was the disposal of the western lands, which Dickinson insisted on settling before a declaration of independence. There was no ground for controversy about the boundaries of Pennsylvania, Delaware, New Jersey, Maryland, New Hampshire, and Rhode Island; but the remaining seven States, on the letter of their charter or other grounds, claimed that their bounds extended to the South Sea or to the Mississippi River.. The States which preferred no claims held that a territory unsettled, and ceded to the crown by the treaty of Paris, if wrested from the common enemy by the blood and treasure of the thirteen States, ought "to be considered as a common property, subject to be parcelled out by Congress into free, convenient, and independent governments."[1] Maryland, on these grounds, instructed her delegates not to consent to the Confederation until an article was added securing that domain for the common benefit. This drew a strong remonstrance from Virginia, defending her claims. The issue at stake was the magnificent domain now divided into great States, each an empire in itself. At length the legislature of New York (Feb. 19, 1780) empowered its delegates to cede a portion of its territory for the common benefit. Congress (September 6) advised a liberal surrender by the States of a portion of their territorial claims, as they could not preserve them entire without endangering the stability of the confederacy; and reminded them how important it was to establish the Union, how essential to public credit and confidence, to tranquillity at home and reputation abroad, "to their very existence as a free, sovereign, and independent people."[2] A month later (October 10) it resolved that the lands that might be ceded should be formed into republican States, and become members of the Union, with the same rights of sovereignty, freedom, and independence as those possessed by the original States. This assuredly was the action of patriots and statesmen.

[1] Journals of Congress, v. 160. [2] Journals of Congress, vi. 122.

The Assembly of Virginia, "preferring the good of the country to every object of smaller importance," now tendered to Congress for the common benefit the whole of the vast territory claimed by her, north-west of the Ohio and extending to the Mississippi and the lakes, — a great act, in the consummation of which Madison bore a leading part. Although it was not completed at once, yet its effect was very great in removing obstacles to the establishment of the Republic.[1]

The refusal of Maryland to ratify the articles was severely commented on, dismemberment being suggested as the remedy for standing out against the wishes of the majority of the Colonies. But at length, impressed among other considerations with the idea that "their friends and illustrious ally" believed that the common cause would be promoted by their acceding to the Confederation, both branches of the Assembly united (Feb. 2, 1781) in an act authorizing their delegates to ratify the articles.[2]

These instruments were not uniform. Some were brief; some embraced the articles entire; some, in accepting them, called for amendments. But Congress resolutely adhered to the articles which they had sent out.

The form of the final ratification in Congress was impressive. "Whereas," it runs, "it hath pleased the Great Governor of the world to incline the hearts of the legislatures we respectively represent in Congress to approve of and authorize us to ratify the articles, we do solemnly plight and engage the faith of our respective constituents that

[1] Rives's Life of Madison, i. 124.

[2] Journals of Congress, vii. 727. The "Independent Chronicle" of July 5, 1781, says: "Lord North had the impudence to declare, with an air of triumph, to the Parliament of Great Britain, that the confederation of America was not accomplished, and that Maryland had refused to accede to it. . . . This Confederation is now completed, and by the confession of our enemies themselves it is an immense advantage we have gained against them. But the noble motive which actuated Maryland in this accession was to content Congress and to satisfy his most Christian Majesty, who appeared earnestly to wish that the union of the States might be consummated."

they shall abide by the determination of the United States in Congress assembled," on all questions which by the said Confederation are committed to them. The signature of Maryland on the first day of March, 1781, completed the ratification of the Articles of Confederation, the advance from the government of committees and congress to an American Constitution.

The title was "Articles of Confederation and Perpetual Union;" the style, "United States of America;" and the object, a firm league of friendship for the common defence against attacks on them, whether on account of religion or of sovereignty. The free inhabitants of each State were to be entitled to the privileges and immunities of the free citizens of every other State. This provision recognized the individual as the unit of society, and guaranteed the combined strength for his protection.

The Union was represented in a single body, — a congress of delegates in which each State was to have one vote. It was to have the sole right of determining on war and peace; of determining the quota of men which each State was to raise for the common defence, and the amount of funds which each was to supply; of forming treaties and alliances; of establishing prize-courts and granting letters of marque and reprisal; of deciding disputes between two or more States respecting boundaries or for other causes, with the restriction that no State should be deprived of territory for the benefit of the United States; of borrowing money, regulating the value of coin, fixing the standard of weights and measures, establishing post-offices, and making rules for the government of the army and navy. The assent of nine States was required for the decision of the more important questions.

Local self-government was fully recognized. The reserved powers were thus stated: "Each State retains its sovereignty, freedom, and independence, and every power, jurisdiction, and right, which is not by this Confederation expressly

delegated to the United States in Congress assembled."[1] The term State here means a people or community dwelling within definite boundaries and in the possession of political power. Among the powers reserved were those of regulating commerce, and, in general, that of taxation. Among the prohibitions were, that the several States should not receive or send embassies from or to foreign powers, or treat with them, or enter into alliances with one another. Each State was bound to abide by the determination of the United States in Congress assembled on all questions submitted to them by the Confederation.

An article vested authority in Congress to appoint a committee of one from each State to sit during the recess of this body, and execute such powers as they might designate. The articles might be amended by being agreed to in Congress, and confirmed by every legislature.

Congress directed the articles, attested by the President, to be sent to the executives of the thirteen States, to the Commander-in-Chief, with directions to announce them to the army, and to the ministers abroad, to be communicated to the several courts near which they resided; and to be translated into French and circulated in Canada.

By order of Congress the final ratification was announced to the public on the 1st of March, 1781, at twelve o'clock, under a discharge of cannon on the land and from the vessels in the Delaware, conspicuous among which was the Ariel Frigate, under Paul Jones, beautifully decorated. "The day," it was said, "will be memorable in the annals of America to the latest posterity." "Thus has the Union begun by necessity been indissolubly cemented. Thus America is growing up in war into greatness and consequence among the nations."[2]

[1] In the articles as found in English publications in 1777, this article reads: "Each State reserves to themselves alone the exclusive right of regulating their internal government, and of framing laws in all matters that are not included in the present confederation, and which cannot any way prejudice the same."

[2] These citations are copied from "Diary of the American Revolution" by Frank Moore, ii. 390.

Congress had voted (June 14, 1777) "that the flag of the thirteen United States be thirteen stripes, alternately red and white; that the union be thirteen stars, white, in a blue field, representing a new constellation;" and it adopted, June 20, 1782, for "the great seal," the American eagle holding in his dexter talon an olive branch, in his sinister a bundle of thirteen arrows, in his beak a scroll inscribed "E Pluribus Unum," and over his head on an azure field thirteen stars, — on the reverse, a pyramid unfinished, with an eye, having over it "Annuit cœptis," on the base MDCCLXXVI, and underneath "Novus Ordo Seclorum."

The articles took from Congress powers which it had exercised, — the control, for instance, of commerce, — and increased the importance of the States. While the latter had government, the Congress was virtually but a consulting body. The Confederation, as a whole, had no proper common executive, no judiciary except admiralty courts, no machinery to carry its decrees into effect; and it depended on requisitions upon the States for every dollar of its revenue. It leaned on the State governments, and had no self-sustaining capacity.

The establishment of regular government, local and general, produced a salutary effect on the American cause abroad. "The eagerness to complete the American code," John Adams wrote from Passy, "and the strains of panegyric in which they speak and write of those parts of it which have been published in Europe, are very remarkable, and seem to indicate a general revolution in the sentiments of mankind upon the subject of government."

The Confederation was scarcely less beneficial at home. Under the provision conferring on Congress the authority to settle controversies between States, the long dispute between Connecticut and Pennsylvania was decided in favor of the latter, with the acquiescence of the former. "A singular event," writes Robert R. Livingston. "There are few instances of independent States submitting their cause to a

court of justice. The day will come when all disputes in the great republic of Europe will be tried in the same way, and America be quoted to exemplify the wisdom of the measure." [1]

In this way the Confederation, notwithstanding its defects, was of extended benefit. It met the pressing wants of the Union, and thus strengthened it. It conferred a great educational service through the experience of its defects; and it carried the nation along until a more efficient system was provided. "This service alone entitles that instrument to the respectful recollections of the American people, and its framers to their gratitude." [2]

The decline of public spirit, evinced in the neglect to comply with the requisitions of Congress, was painfully felt in the national [3] finances, before the Articles of Confederation took effect and drew attention to the question of reform. John Adams was convinced that deep and broad taxation was the only remedy.[4] Hamilton said that the want of power in Congress was universally acknowledged.[5] Washington declared that independence, respectability, consequence in Europe, and greatness as a nation depended on a change.[6] Congress recommended that the States should lay an impost of five per cent on imported goods and on prizes (Feb. 2, 1781), to keep the public faith inviolate. Some States passed the necessary laws; others were silent. This shameful neglect induced Madison "to urge the necessity of arming Congress with coercive powers," and he proposed to clothe it with authority to use the force of the United States by sea and land to compel the delinquent States to fulfil their engagements.[7] Soon after the ratification of the Articles,

[1] Sparks's Diplomatic Correspondence, x. 21.

[2] Marshall's Washington, iv. 416.

[3] Congress habitually used the word *national*; as, "national debt" (Journals, v. 238), "national faith" (ibid. 266).

[4] Letter, 1778. Diplomatic Correspondence, iv. 263.

[5] Letter, Sept. 3, 1780.

[6] Letter, Feb. 28, 1781.

[7] Letter and Report, April 16, 1781. Madison Papers, i. 86.

Robert Morris, in a clear and strong circular, uttered a warning against the policy of showing "a distrust of the States in the sovereign representation of America," and urged the Whigs to give to the union of sentiment, daily increasing, "a proper political form and consistency."[1] Perhaps not one of the prominent public men regarded the Articles as more than a step toward a better system.

Great events were at hand. The remarkable campaign of General Greene in the Southern States was consummated by the victory at Eutaw on the 8th of September, 1781. The brilliant operations of Washington and Rochambeau culminated at Yorktown, on the nineteenth day of October, in the surrender of Lord Cornwallis and his army to the combined forces of France and the United States. The journals are crowded with the details of this decisive result. The spectacle is said to have been inspiring when "the flags of the two nations were borne in triumph by their officers." The enthusiasm was intense and general. Days were set apart for demonstrations of the general joy. Congress went in procession to church to give thanks to Almighty God for the victory.

Hostilities were kept up in various quarters, but the main armies remained inactive, and the war was virtually over. At length, in March, 1783, the newspapers spread the great and joyful intelligence that terms of peace had been agreed upon. Congress soon (April 11) by proclamation announced that provisional articles were signed on the 30th of November, and declared a cessation of arms. Washington, in an admirable general order, named the nineteenth day of April — completing the eighth year of the war — as the time to read to the army this proclamation, which he said, "like another morning star, promised the approach of a brighter day than hath hitherto illumed the western hemisphere." There was now an outburst of joy, gratitude, and

[1] The circular was addressed to the Governors. It is dated July 27, 1782. Diplomatic Correspondence, xi. 408–414.

praise, such as is seldom seen in the annals of a people. Certain provisions relative to the refugees were criticised by those who kept up a war on the Tories after the war with Great Britain was ended; but "fault-finders were borne down by the general torrent of applause,"[1] and hearty commendation was awarded to the negotiators, Franklin, John Adams, and Jay.

Washington was the idol of the people. The air was vocal with his praise. "Your services," said the President of Congress to him in an audience,[2] "have been essential in acquiring and establishing the freedom and independence of your country. They deserve the grateful acknowledgments of a free and independent nation. . . . Hostilities have ceased, but your country still needs your services." Washington expressed himself as amply rewarded by the affection of his fellow-citizens; and said, "I cannot hesitate to express my best endeavors towards the establishment of the national security in whatever manner the sovereign power may think proper to direct." He soon issued an elaborate farewell address to the army. He appealed to every officer and every soldier to add to the immense service they had rendered by using every endeavor to "support the Federal Government, and enlarge the powers of the Union, on which depended the very existence of the nation." The eulogistic notices of this address warrant the remark that it produced a profound impression on the public mind.

Three months afterward occurred the interesting scene in Congress, at Annapolis, when, in the presence of a brilliant audience, Washington laid down his authority. It is related that the members "were seated and covered as representatives of the sovereignty of the Union." Washington, standing, read a brief speech, in which he said that he was "happy in the confirmation of independence and sovereignty, and pleased with the opportunity afforded the United States of becoming a respectable nation." He

[1] Robert Morris's letter, Sept. 20, 1783.

[2] August 26, 1783.

then advanced to the chair, and gave his address and his commission to the President. He, in a reply penned by Jefferson, said that "Congress accepted with emotions too affecting for utterance the solemn resignation of authority; assured him that he had the blessings of his fellow-citizens; expressed the conviction that the glory of his virtues would continue to animate remotest ages; and joined him in beseeching Almighty God to dispose the hearts and minds of the citizens to improve the opportunity afforded them of becoming a happy and respectable nation."[1] The citizen-soldiers, following their beloved and illustrious commander, impressed an American lesson on mankind, as, with unsatisfied claims and impaired constitutions, they quietly returned to their former occupations.

On the 14th of January, 1784, Congress announced by proclamation that the treaty of peace had been confirmed, and enjoined on "all good citizens of the United States" to carry it into effect by "reverencing those stipulations entered into on their behalf, under the authority of that federal bond by which their existence as an independent people is bound up together, and is known and acknowledged by the nations of the world."

"The times that tried men's souls are over," wrote the author of "Common Sense," "and the greatest and completest revolution the world ever knew is gloriously and happily accomplished. . . . That which . . renders easy all inferior concerns is the union of the States. . . I ever feel myself hurt when I hear the Union, that great palladium of our liberty and safety, the least irreverently spoken of. It is the most sacred thing in the Constitution of America, and

[1] On this day, Dec. 23, 1783, on motion of Mr. Williamson, seconded by Mr. Jefferson, Congress ordered that letters be addressed to the executives of New Hampshire, Connecticut, New York, New Jersey, South Carolina, and Georgia, informing them that the honor of the United States required the attendance of their delegates; that during that session there had not been more than seven States represented, and the most of those by only two delegates; and that "matters of great national concern" required the utmost despatch, and the assent of nine States. Journals, ix. 12.

that which every man should be the most proud and tender of. Our citizenship in the United States is our national character. Our citizenship in any particular State is only our local distinction. By the latter we are known at home; by the former to the world. Our great title is Americans; our inferior one varies with the place." [1] This citation will show the sentiment expressed in private and official letters, — from those of Washington down, — in the toasts at public festivals, by the press and at public meetings.

The times of trial were by no means over. To construct the republican government, represented by the press as easy,[2] proved the hardest of work. On the return of peace the need of it was more painfully felt than ever. The great minister of finance, Robert Morris, engaged in Herculean labors, wrote: "The necessity of strengthening our confederacy, providing for our debts, and forming some federal constitution, begins to be most seriously felt. But, unfortunately for America, the narrow and illiberal prejudices of some have taken such deep root, that it must be difficult, and may prove impracticable, to remove them."

Great Britain, baffled on the field of arms, kept up an insidious war on the Union. The king, from the throne, expressed a desire that America might be free from the calamities which had proved in the mother country how essential monarchy was to the enjoyment of constitutional liberty. The cabinet required, before treating on commerce, that each State should send separate ambassadors.[3] An order in council excluded from the West Indies American vessels and American products, except in British ships. The free trade for the United States was met by restriction and monopoly. Congress, in endeavors to form commercial treaties, declared that in every case under them the United States should be considered "as one nation upon the prin-

[1] The Last Crisis, No. XIII.; Boston Evening Post, May 10, 1783.

[2] See p. 481.

[3] John Adams (Works, viii. 243) commented severely on the idea of thirteen plenipotentiaries.

ciples of the federal constitution."[1] Lord Sheffield urged that the American States were not to be feared as a nation.[2] The acts of local legislatures, in retaliation, were failures. All branches of industry — the rice and tobacco of the South, as well as the trade and commerce of the North — suffered from this foreign policy. In the "war of imposts," as Washington termed it, the Confederation proved entirely inadequate to the common defence. American agriculture, commerce, and manufactures demanded the protection of an efficient government.

Intelligent minds in every quarter lamented the evils of the existing system; but Hamilton and Madison identified themselves so thoroughly with the measures adopted to effect a reform, as to stand out prominent in this work.

Alexander Hamilton was born at Nevis, in the West Indies. At the age of fifteen he was sent to New York to obtain an education, and became a student in Columbia College. About two years afterward, in the heat and glow of the fraternal feeling evoked by the Port Act, he electrified a public meeting held in the Fields in New York in a speech indicative of remarkable intellectual gifts; and followed this up by an able pamphlet on the American cause. At seventeen Hamilton was in the army as captain of an artillery company; at twenty he was a member of Washington's military family; and to the proud day of Yorktown was as chivalrous, generous, and gallant a soldier as ever drew his sword for his country. He became a member of the New-York Assembly, and then of Congress. He wrote elaborately on political affairs, exposing the defects of the Confederation, and in legislative action aimed to reform them. His productions evince great maturity of thought, rare logical power, and the intuitive grasp that marks the great intellect. They assign him to the school that distrusts the capacity of the people, seeks paternal government, and

[1] The Instructions to the Ministers Plenipotentiary abroad are in Pitkin's History, ii. 534.

[2] Ibid., 189.

relies more on physical force than on consent. His plan of government contained life-tenures for high executive and legislative offices, tended towards monarchy, and was not adapted to the genius of his countrymen.

James Madison was born in Orange, Va., and educated at Princeton, N.J. He began public life as a member of the great convention that formed the first constitution of that State, and he afterward became a member of Congress. At thirty-four, he felt himself called to the study of politics, with the view of laboring to establish an adequate government for his country. He left Congress when the war closed, and served for three years in the Virginia Assembly, when he was again returned to Congress. His ripe culture and remarkable power in debate — having the rare gift of the eloquence that persuades — rendered him able to cope in argument with the ablest of his contemporaries. His labors were uninterrupted in the civil line, and present the record of a great and wise statesman. They class him as a disciple of the republican school.

It is not, however, history to select one or two great men, and to ascribe the Union to their influence, and the Constitution to their insight. It is only necessary to state things as they occurred to see that no Lycurgus had been born to give the law to the United States. Franklin, with his great conception of a self-sustaining government, held to a single legislative body; Richard Henry Lee was against endowing the Union with the vital function of regulating commerce; Hamilton would have had a convention act as the sovereignty in creating a new sovereignty; Madison proposed to give Congress the power of a negative on State laws.

Madison, however, was the earliest to give an outline of a government for the Union designed to operate on individuals, and to be established by the people of the States in their sovereign character.[1] This was sent to Jefferson, then in France, who had written profoundly on government in his

[1] Madison Papers, ii. 714.

"Notes on Virginia." He now wrote: "The interests of the States ought to be made joint in every possible instance, in order to cultivate the idea of our being one nation, and to multiply the instances in which the people should look up to Congress as its head."[1]

Washington continued to manifest greatness of mind in entering on the work of peace. He did not attempt to construct a political system. He devoted himself to developing the resources of his native State. He treated with great ability the questions connected with the commerce and political wants of the one country always in his mind and near his heart; and contemporary records will be searched in vain for clearer expositions of existing evils, and of the necessity of removing them, than his writings afford. His unrivalled judgment frowned down vagaries. He comprised the substance of what the Union required in this strong statement: "I do not conceive we can long exist as a nation without having lodged somewhere a power which will pervade the whole Union in as energetic a manner as the authority of the State governments extends over the several States."[2]

The method of obtaining an American Constitution through a representative convention was historical, and was suggested when the idea was to form a union that should be consistent with allegiance to the crown. It was renewed in the speculations on independence, as in "Common Sense," in 1776. When the aim was to reform the Confederation, a convention was suggested by Hamilton in 1780; by Pelatiah Webster in 1781; by the New-York Legislature in 1782; was named in Congress by Hamilton in 1783; was proposed by Richard Henry Lee in a letter in 1784; and was recommended by Governor Bowdoin in a speech to the Massachusetts Legislature in 1785. No action, however, grew out of these suggestions. In 1786, the Assembly of Virginia,

[1] Memoirs of Jefferson, i. 235; letter dated June 17, 1785. See also letter dated Feb. 8, 1786.

[2] Letter dated Aug. 1, 1786. Sparks's Writings of Washington, ix. 187.

under the lead of Madison, appointed commissioners to meet in convention and consider the question of commerce, with the view of altering the Articles of Confederation; and it was made the duty of this committee to invite all the States to concur in the measure.

The convention was summoned to meet at Annapolis, and delegates from five legislatures assembled, on the eleventh day of September, 1786. Hamilton was present from New York, Madison from Virginia, and Dickinson from Pennsylvania. The commissions of four legislatures authorized their delegates to consider what ought to be done to benefit the commerce of the United States. The commission of the New-Jersey delegates embraced "other important matters." The representation was so partial, that this body refrained from entering upon the business of their mission. In a brief report, drawn up by Hamilton, addressed to their constituents, and signed by John Dickinson, the chairman, they recommended the powers granted by New Jersey as an improvement of the original plan, and unanimously urged the five States to use their endeavors to procure the appointment of commissioners from all the States, to meet in Philadelphia, on the second Monday in May next, to devise such measures as might appear necessary to render the Constitution of the Federal Government adequate to the exigencies of the Union.[1]

In the mean time, national affairs grew worse. To the chronic neglect to comply with the requisitions of Congress, the New Jersey Legislature added positive refusal by an act of legislation. The legislatures of States having ports for foreign commerce, taxed the people of other States trading through them; others taxed imports from sister States; in other instances the navigation-laws treated the people of

[1] This address to the legislatures of Virginia, Delaware, Pennsylvania, and New York, is in the American Museum for April, 1787. It states that commissioners were appointed by New Hampshire, Massachusetts, Rhode Island, and North Carolina, who did not attend; and that no notice of appointments were received from Connecticut, Maryland, South Carolina, or Georgia.

other States as aliens. The authority of Congress was disregarded by violating not only the Treaty of Paris, but treaties with France and Holland.[1] Congress, in a circular letter (April, 1787) addressed to the Governors, to be laid before the legislatures, say that "the national Constitution having committed to them the management of the national concerns with foreign states and powers, it was their duty to take care that all the rights which they ought to enjoy within their jurisdiction, by the laws of nations and the faith of treaties, remain inviolate;" and "that when a treaty was constitutionally made, it immediately became binding on the whole nation and superadded to the laws of the land, without the intervention of a fiat of State legislatures."[2] According to American law, the sovereignty had not entrusted to the State legislatures, the right of exercising national functions, and their high-handed acts were usurpations of power. These bodies were transforming the Union into the low condition in which it was before the organization of committees of correspondence.[3]

This was the period of "Shays's Rebellion" in Massachusetts, in which the spirit and example of disobedience to law, exhibited for years by the local legislatures, broke out among a people. It created a profound impression. At home it seemed a herald of approaching anarchy; abroad it exalted the hopes of monarchists, and was regarded as the knell of republicanism. The treason was easily subdued by a military force, under General Lincoln, called out by Governor Bowdoin. It was the first rising in arms against a government established by the people in this State, and thus far has

[1] The "Introduction" in Madison Papers, ii. 712. The letter of Alexander Hamilton to James Duane (Works of Hamilton, i. 150), dated Sept. 3, 1780, contains a masterly presentation of the defects of the Confederacy. Its recommendations are criticised in Rives's Life of Madison, i. 306. "The Vices of the Political System of the United States," in the Writings of Madison, i. 320, contain an able summary of the evil practices of the States.

[2] This circular was signed by A. St. Clair, President. American Museum, i. 349.

[3] See pages 256–259.

proved the last. It had the effect to ripen the public mind for a general government.

A month after this insurrection began, the Virginia Legislature, under the lead of Madison, provided (Nov. 9, 1786) for the choice of commissioners to attend a convention at Philadelphia, "to concur in such further suggestions and provisions" in the Federal Government, "as might be necessary to secure the great objects for which that government was established, and to render the United States as happy in peace as they have been glorious in war."[1] Washington was placed at the head of the delegates. The legislatures of Pennsylvania and Delaware, saying, among other things, that they desired to co-operate with Virginia, soon chose commissioners, as did those of New Jersey and North Carolina. Congress, viewing a convention as the most probable means of "establishing in those States a firm national government," recommended (Feb. 21, 1787) the legislatures to appoint delegates to meet in convention at Philadelphia "for the sole and express purpose of revising the Articles of Confederation," and report to Congress and the several State legislatures."[2] Afterward the legislatures of seven other States chose delegates; all electing but Rhode Island.

The delegates elect were summoned to meet in Philadelphia on the fourteenth day of May, in Independence Hall; but, a majority of the States not being then represented, those present adjourned from day to day until the twenty-fifth. They then organized into a convention, and elected George Washington as President. Sixty-five delegates had been chosen; ten, however, did not take their seats. The credentials, generally, are like those of Virginia, which name, as the object, to devise "such further provisions as may be necessary to render the Federal Constitution adequate to the exigencies of the Union."

[1] Rives's Life of Madison, ii. 134.
[2] Journals of Congress, xii. 17.

The members were identified with the heroic and wise counsels of the Revolution. The venerable Franklin was in the Albany convention, and now, at eighty-one, was the President of Pennsylvania. Johnson of Connecticut, Rutledge of South Carolina, and Dickinson, were in the Stamp Act Congress. Seven of the delegates were in the Congress of 1774. Eight of them signed the Declaration of Independence, one of whom, James Wilson, was next to Madison in ability, culture, and preparation for the work before them. Eighteen were then members of Congress, and only twelve had not been members of this body. Among the great men who were elected, but declined, were Richard Caswell and Patrick Henry. The delegates most distinguished by Revolutionary service were Langdon, Gerry, Sherman, Livingston, Read, Mifflin, Morris, Clymer, Wilson, Mason, Wythe, Rutledge, Randolph, the two Pinckneys, Madison, Hamilton, Dickinson, Franklin, and Washington. Of those who were destined to be widely known were Rufus King, Caleb Strong, Nathaniel Gorham, Oliver Ellsworth, Jared Ingersoll, and James McHenry. This roll of names marks the rank of this assembly as to intellect, character, experience, and patriotism.

The Convention was occupied for nearly four months (May 25 to Sept. 17) in its great labor. Its sessions were held with closed doors; secrecy was enjoined, — no member being even allowed to copy from its journal; and little transpired of its proceedings until its adjournment. Its journal was intrusted to the keeping of Washington, who deposited it in the State Department. It was printed by direction of Congress in 1818. Robert Yates, one of the members from New York, made short notes of the debates in the earlier sessions, which were printed in 1821; and Madison took short-hand notes of each day's doings, which he wrote out daily. They were printed in 1840. Luther Martin, in a remarkable letter addressed to the legislature of Maryland, gave important information concerning the

Convention. These and other authentic materials[1] furnish nearly a complete view of the process by which the Constitution for the United States was matured.

The Virginia delegation, through Edmund Randolph, then the Governor, submitted fifteen resolutions concerning the establishment of a national government, to consist of a legislature of two branches, an executive and a judiciary. Charles Pinckney also presented a draft of a Federal Government. These propositions were referred to the committee of the whole. They were debated from day to day until the 13th of June, when nineteen resolutions were reported to the House. Before they were acted on, Mr. Patterson, of New Jersey (June 15), submitted eleven resolutions, proposing to revive the Articles of Confederation, "so as to render the Federal Constitution adequate to the exigencies of government and the preservation of the Union." These resolutions, together with the nineteen resolutions previously reported, were referred to the committee of the whole. In the discussion, after John Dickinson had spoken on the Articles of Confederation, Hamilton, in the course of a speech, read a paper containing his ideas of a Plan of Government, with a legislature of two branches, — the assembly to consist of persons who should serve for three years, and the senate as well as the governor, the executive head, to serve during good behavior. He proposed that the general government should appoint the governor of each State, who should have a negative on the laws to be passed by the legislature. This plan was not acted on. On the 19th of June, the committee of the whole reported to the House that they did not assent to the resolutions offered by the Hon. Mr. Patterson, but submitted again the nineteen resolutions before reported. The first was: "That it is the opinion of this committee that a National Government ought

[1] Elliott's Debates, ed. 1866, i. 121–123, contains an account of these materials. This work is an invaluable repository of the papers connected with the formation of the Constitution.

to be established, consisting of a supreme legislation, judiciary and executive."

This determination to frame a new government brought face to face in the Convention the antagonisms of American society; the errors of opinion and rooted prejudices; the local interests, jealousies, and ambitions of the people of the several States. The slavery question rose to fearful eminence. It was connected with the question of representation, or the mode in which the political power should be distributed. Madison, on the 30th of June, in an elaborate speech, delineated the great division of interests in the United States as not between the large and the small States, but as arising from their having or not having slaves. "It lay," he said, "between the Northern and Southern;" and he went on to show how certain arrangements "would destroy the equilibrium of interests between the two sections." In this he probed the cause of the passion that mingled in the debates. The storm was fearful. "I believe," Luther Martin said, "near a fortnight, perhaps more, was spent in the discussion of this business, during which we were on the verge of dissolution, scarce held together by the strength of a hair;" and this is confirmed by a letter from Washington,[1] who said that he almost despaired of seeing a favorable issue to the proceedings, and therefore repented of having had any agency in the business.

During this period Franklin made his well-known impressive speech, on introducing a motion, that prayers be said in the Convention. In another characteristic speech, on the wide diversity of opinion, he said that when a broad table is to be made, and the edges of planks do not fit, the artist takes a little from both and makes a good joint. In like manner, here, both sides must part with some of their demands, in order that they may join in some accommodating proposition. The work of healing commenced when the com-

[1] The letter was addressed July 10, 1787, to Hamilton. He left the Convention on the 29th of June, and did not return until the 13th of August.

promise was agreed to, fixing the basis of representation by adding to the whole number of free persons, including those bound to serve for a term of years, excluding Indians not taxed, three-fifths of all other persons, and giving to each State one representative for every forty thousand inhabitants, and to each State an equal vote in the Senate.

After the adjustment of representation, there remained the difficulty of discriminating between the two spheres of power, local and general. The proposal of Hamilton to endow a central government with power to appoint the local governors met with little, if any, favor. The advocates of the old Articles made it their chief point to preserve to the States their importance; and Madison, the foremost advocate of the Virginia plan, said that "he would preserve the State rights as carefully as the trial by jury." The clear and profound George Mason said that, "notwithstanding his solicitude to establish a national government, he never would agree to abolish the State governments, or render them absolutely insignificant. They were as necessary as the general government, and he would be equally careful to preserve them. He was aware of the difficulty of drawing the line between them, but hoped it was not insurmountable." He also said he was sure "that, though the mind of the people might be unsettled on some points, yet it was settled in attachment to republican government." Local self-government, union, and republicanism were as laws inscribed on the tablets of the American heart; and it was the office of the able men of the Convention to devise for their wants the letter of a written constitution.

In these discussions the Convention had passed on the nineteen resolutions. On the 23d of July it was determined that its proceedings "for the establishment of a national government," excepting the executive, should be referred to a committee, for the purpose of reporting a draft of a constitution conformably to them; and the next day, when five members were appointed as this committee, the propositions

submitted by Pinckney and Patterson were also referred to it. On the 6th of August the committee reported; when another month of debate followed, during which the clauses relative to the slave-trade and the rendition of slaves were agreed to, — on which hung mighty issues. They are of the past now. They were the price that was paid for republican government, an instrument of vast good in the present and for the future. On the 8th of September a committee of five was appointed "to revise the style of and arrange the articles agreed to by the House." This work was intrusted to Governor Morris, and to him belongs the credit of the simple style and clear arrangement of the Constitution. The committee reported on the twelfth, when the printing of the Constitution was ordered. Three days were occupied in revising it, when it was ordered to be engrossed. It was then read, when Franklin rose with a speech in his hand, which was read by James Wilson.

"I confess," it begins, "that there are several parts of this Constitution which I do not at present approve; but I am not sure I shall never approve them. For, having lived long, I have experienced many instances, by being obliged by better information, or fuller consideration, to change opinions, even on important subjects, which I once thought right, but found to be otherwise. It is, therefore, that the older I grow, the more apt I am to doubt my own judgment and to pay more respect to the judgment of others. . . .

"In these sentiments, sir, I agree to that Constitution, with all its faults, if they are such, because I think a general government necessary for us; and there is no form of government but what may be a blessing to the people if well administered; and believe, further, that this is likely to be well administered for a course of years, and can only end in despotism, as other forms have done before it, when the people shall be so corrupted as to need despotic government, being incapable of any other."

Franklin concluded by moving a form, in which the Con-

stitution should be signed by the members. Mr. Gorham, of Massachusetts, now said that, if it was not too late, he could wish, for the purpose of lessening objections, that the number of representatives, which had produced so much discussion, might be fixed at one for every thirty thousand instead of one for forty thousand. Washington's suggestions on government, from the period of his command of the army to his election as President, are a monument of his judgment, sagacity, and wisdom. He watched with painful solicitude the progress of the Convention; but he did not once enter into the discussions. When he rose to put the question on the motion of Mr. Gorham, he said: —

"That although his situation had hitherto restrained him from offering his sentiments on questions depending in the House, and, it might be thought, ought now to impose silence on him, yet he could not forbear expressing his wish that the alteration proposed might take place. It was much to be desired that the objections to the plan recommended might be made as few as possible. The smallness of the proportion of representatives had been considered, by many members of the Convention, an insufficient security for the rights and interests of the people. He acknowledged that it had always appeared to himself among the exceptionable parts of the plan; and, late as the present moment was for admitting amendments, he thought this of so much consequence that it would give him much satisfaction to see it adopted."

This impressive appeal was followed by a unanimous vote in favor of the motion. There was then a vote on the question whether the Constitution should be agreed to as engrossed in order to be signed, and all the States answered ay. There was then a debate on signing. Hamilton now entered upon the course that reflects high honor on him as a patriot. He was anxious that every member should sign, saying: "No man's ideas were more remote from the plan than his own were known to be; but is it possible to deliberate be-

tween anarchy and convulsion on one side, and the chance of good to be expected from the plan on the other?"

All the members signed the Constitution, excepting Edmund Randolph and George Mason, of Virginia, and Elbridge Gerry, of Massachusetts. Whilst the last members were signing, Franklin, the Nestor of the Assembly, looking towards the President's chair, at the back of which a rising sun happened to be painted, observed to a few members near him, that painters had found it difficult to distinguish in their art a rising from a setting sun. "I have," said he, "often and often, in the course of the session, and the vicissitude of my hopes and fears as to its issue, looked at that behind the President, without being able to tell whether it was rising or setting; but now, at length, I have the happiness to know that it is a rising and not a setting sun." The instrument was attested in the form submitted by him: "Done in Convention, by the unanimous consent of the States present, the 17th day of September, in the year of our Lord, 1787, and of the Independence of the United States of America, the twelfth."

The debates evince clearly enough that members had their share of the infirmities of human nature. "It is a miracle," said Hamilton, "that we are here exercising our tranquil and free deliberations." When the difficulties that met them at every turn are considered, it seems a wonder that they were able to overcome them. Madison was not absent a single day from the session, and observed closely the whole course of affairs. He writes, "that there never was an assembly of men, charged with a great and arduous trust, who were more pure in their motives or more anxiously devoted to the objects submitted to them."

It was moved in the Convention by Hamilton, and seconded by Gerry, that the Constitution should be transmitted to "the United States in Congress assembled," and, if it should be agreed to by them, that it should be communicated to the legislatures of the several States. The motion was rejected.

The important decision was reached that it should be transmitted through Congress and the local legislatures to the people, or to the sovereignty in each State; and that when the conventions of nine States should have advised Congress that the people had ratified the Constitution, Congress should appoint the time and place for commencing proceedings under it.

Accompanying the transmission of the Constitution to Congress, was a letter signed by the President in the name of the Convention. This brief and admirable paper embraces a statement of the need of a general government for the Union, and of the difficulties experienced in drawing the line between the powers reserved and the powers surrendered; and presents the Constitution as the result of a spirit of amity. "In all our deliberations, we kept steadily in view that which appears the greatest interest of every true American, — the consolidation of our Union, in which is involved our prosperity, felicity, safety, perhaps our national existence."

When the Constitution and accompanying papers were before Congress, some urged that as the object expressed in the call, that of revising the Articles of Confederation, had not been adhered to by the Convention, but a new system had been organized, it would be unbecoming to transmit it to the legislatures; also that, if transmitted, Congress ought to add certain amendments. But these propositions were met so efficiently by Madison, — who immediately resumed his seat, — that, on the 28th of September, Congress unanimously ordered the papers to "be submitted to a convention of delegates, chosen in each State by the people thereof, in conformity to the resolves of the Convention." This was a great point gained, as it presented to the people the single question of the acceptance or rejection of the Constitution.

Meanwhile, this grand American production circulated immediately (September 19) through the newspapers. It seemed to meet with general favor, and even to excite en-

thusiasm. It found a certain preparation of the public mind ready to respond to its main features, — an ideal which it met and satisfied. The secrecy enjoined by the Convention had been well kept. Still, during its long session, and the consequent public anxiety, certain facts had been magnified into unpleasant rumors. The fact that propositions had been brought forward to interfere with the local governments grew into the rumor that they were to be abolished; the fact that there were a few adherents of a principle tending to monarchy grew into the rumor that one was to be established, with the Bishop of Osnaburgh at its head. The Constitution put these rumors to silence. It purported to form a more perfect Union, which was in the public mind a Palladium; to recognize the States and guarantee to them republican government, which met and satisfied an old conviction; to be a Constitution, which was a result prophesied twenty years before,[1] and held up as a necessity ever since; and to provide for a government, a public authority, clothed with power supreme in its sphere, any thing that any State might do to the contrary; which was in accordance with the pledges proffered before the first Congress convened, and solemnly agreed to in the Articles. An instrument that would enable the people to do this was an advance indeed. It would put an end to the flagrant assumptions of national functions by local legislatures, in disregarding treaties, violating public faith, and thus making the American name a by-word. The Constitution was instinctively and joyfully welcomed by farmers, mechanics, and merchants.

Soon, however, the newspapers teemed with the views of men eminent for ability, honesty, and patriotism, against its adoption; and they won adherents. Hence the country became divided into two great parties: one called the Federalists, composed of those who were in favor of the ratification of the Constitution; the other termed anti-Federalists, or those opposed to the ratification, who could

[1] See page 244.

boast among their leaders the great names of George Clinton and Patrick Henry. The conflict of opinions was carried on in public meetings, through the press, and in the representative assemblies, and all these in thought and action were unfettered. This constituted another great period in American history. It has been thoroughly explored and ably narrated. In advocating the adoption of the Constitution, James Wilson made a noble record in the Pennsylvania Convention and the popular forum. Hamilton and Madison shone in the State conventions and in the press. Their greatest legacy was their share in the "Eighty-five Essays," which appeared in a New-York newspaper, under the signature of "Publius." In this, they were associated with Jay, who, however, on account of illness, contributed only six of the number. These "Essays" were collected in the well-known volume entitled "The Federalist," which is a classic in American political literature.

The local legislatures followed the example of Congress. Without expressing any opinion on the Constitution, they called upon the people to choose delegates in the manner in which they chose representatives, to meet in convention and take it into consideration, and report the result to the Congress of the United States. These conventions accordingly were held, and the Constitution and accompanying papers were laid before them. After long debates, they voted to ratify the Constitution. In doing this, the members followed the general convention in signing instruments varying in form, — some of them embracing recommendations of amendments. The terms used in the main act were similar. Thus: "We, the delegates of the people of Virginia, . . . assent to and ratify the Constitution . . . in behalf of the people." All use the term "ratify," and some add "assent." The Massachusetts form acknowledges the goodness of the Supreme Ruler in affording the people of the United States the opportunity of entering into a solemn compact with one another by assenting to a new Constitution.

This was action, not by the local governments, but by the people, as the sovereign power. As has been related,[1] the people had established constitutions to meet their local wants; and now this same sovereign power, expressing its will, in distinct communities, through legal channels, ordained a constitution for the purposes stated in its preamble: "We, the People of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this CONSTITUTION for the United States of America."[2] The effect of this concurrent action was to constitute the people legally what they had long been in sentiment, — one people, for certain purposes; and to provide a government for the political unit composed of the States in Union, or the United States, in order to meet their wants as one people and one nation. And this government was designed to operate, like the State governments, immediately and individually on the people, by the same coercive forms and means.[3] These creative acts, local and general, were not divisions of the sovereignty, but the exercise of sovereign power limiting the people themselves, as well as their agents, in the discharge of political duties. Their results, the constitutions, were not ends, but means of preserving the public life, and promoting the public good, and, as such, were sacredly obligatory on all.[4] But they were valuable only as they contributed to this object; and, when they proved inadequate to embody the living spirit, the people who created them could alter them. The sovereignty, though quiescent, remained intact, ready

[1] See pp. 564-568.

[2] This citation is from the copy in Hickey's "Constitution of the United States of America."

[3] Madison's Works, iv. 320.

[4] "The basis of our political system is the right of the people to make and to alter their constitutions of government. But the constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory on all." — Washington's Farewell Address.

to exercise its power again when the progress of society should require changes in the organic law.

This constitution does not define what shall be considered as constituting a "State," but recognizes the existence of the States as separate communities, dwelling in definite boundaries, and in possession of certain functions of government. They are referred to in a geographical sense, as in the clauses restricting the selection of representatives and senators to inhabitants of the States for which they should be chosen; politically, as in the duties required of their governments; and as communities, as in the guaranty to every State, — *i. e.*, people, — a republican form of government, and in the provision that no State should be deprived of its equal suffrage in the Senate without its consent. As the powers vested in the general government are enumerated, the residue remained in the State. The guaranty adopted in the first amendment to the Constitution — "that the powers not delegated to the United States by the Constitution, nor prohibited to it by the States, are reserved to the States respectively or to the people" — was previously unwritten law. Thus the old right of local self-government was expressly recognized.

Union was acknowledged as an already existing fact; and the object of the Constitution was declared to be to make a more perfect Union. Government is provided for in a legislature consisting of two branches to make laws, a judiciary to interpret the law, and an executive power in a President, "to take care that the laws be faithfully executed." The Senate is based on State equality, the House on numbers. The powers enumerated which a government, under this Constitution, might exercise, were, in general, those which throughout the colonial age were proposed to be vested in a Union, — even the important power of levying taxes and collecting them, while leaving the local governments to levy and collect taxes for local purposes, being in Franklin's Albany plan. They provided for a government to act directly on

individuals, instead of a league acting on States, as in the Articles of Confederation; for influence thus substituting public authority. The Union was endowed with political power, supreme in its sphere; and though it had no power to make or to abolish the State governments, "yet," is the great comment of Madison, "if they were abolished, the General Government would be compelled, by the principle of self-preservation, to reinstate them in their proper jurisdiction." [1]

The spheres of the two governments, State and National, were defined with much exactness; but, to determine controversies that might arise between the boundaries of their powers, it was provided that the judicial authority should extend to all cases under the Constitution, the laws, and treaties, naming in the list controversies between two or more States; and that this power should be vested in a Supreme Court, to be established by Congress.

The laws made in pursuance of these powers, and all the treaties, were "to be the supreme law of the land," and the judges in every State were "to be bound thereby, any thing in the Constitution or laws of any State to the contrary notwithstanding;" all officers, "both of the States and of the United States," were to bind themselves "by oath or affirmation" to support this Constitution; and it was to stand until amended in the form prescribed; the final stage being that new articles should be ratified by three-fourths of the several States, or by conventions of three-fourths of the States, as might be proposed by the Congress; with the proviso that no State, without its consent, should be deprived of its equal suffrage in the Senate.

It was provided that the citizens of each State should be entitled to all the rights of citizens in the several States. The word "slave" is not in the Constitution; and so peculiar and wise were the provisions, that, when State after State abolished slavery, no alteration was required to meet the

[1] Federalist, No. XIV., Dawson's ed., 1787.

great social change. Nor would any change have been required, had all the States abolished slavery. Recent amendments prohibit its establishment, as the original instrument prohibited the States from granting an order of nobility.

Article seventh and last is: "The ratification of the conventions of nine States shall be sufficient for the establishment of this Constitution between the States so ratifying the same."

On the 2d of July, 1788, the President of Congress informed that body that he had laid before them the ratifications of the Constitution by the conventions of nine States. On that day a committee was appointed to report an act "for putting the said Constitution into operation." It was not, however, until the 13th of September that Congress agreed on a plan. The first Wednesday in January was fixed for the appointment of electors; the first Wednesday in February for their meeting to vote for a President; and the first Wednesday in March as the time, and New York as the place, for commencing proceedings under the Constitution.

Accordingly the representatives and senators elect assembled in New York; but it was not until a month after the time appointed that there was a quorum to transact business. On the 30th of April, 1789, Washington was inducted into the office of President of the United States with imposing ceremony; Chancellor Livingston administering the oath in the balcony of the City Hall, and before a great assembly of citizens and the military. The President delivered his inaugural address in the chamber, in the presence of both Houses of Congress, officers of the old government, and as many as could be accommodated. His first official act was fervent supplication to the Almighty "that his benediction might consecrate to the liberties and happiness of the people of the United States a government instituted by themselves for these essential purposes." He said: —

"In the important revolution just accomplished in the

system of their united government, the tranquil deliberations and voluntary consent of so many distinct communities, from which the event has resulted, cannot be compared with the means by which most governments have been established, without some return of pious gratitude, along with an humble anticipation of the future blessings which the past seem to presage." In the place of recommending particular measures, he paid a tribute "to the talents, the rectitude, and the patriotism which adorned the characters selected to devise and adopt them;" and in these qualifications he beheld the surest pledges that the foundations of "the national policy would be laid in the pure and immutable principles of private morality, and the pre-eminence of free government be exemplified by all the attributes which can win the affections of its citizens and command the respect of the world." "I dwell," he said, "on this prospect with every satisfaction which an ardent love of my country can inspire: since there is no truth more thoroughly established than that there exists in the economy and course of nature an indissoluble union between virtue and happiness, between duty and advantage, between the genuine maxims of an honest and magnanimous policy, and the solid rewards of public prosperity and felicity; since we ought to be no less persuaded that the propitious smiles of Heaven can never be expected on a nation that disregards the eternal rules of order and right which Heaven itself has ordained; and since the preservation of the sacred fire of liberty, and the destiny of the republican model of government, are justly considered as deeply, perhaps as finally, staked on the experiment intrusted to the hands of the American people."

The new government is here termed an experiment. The tribute of Washington to the characters of the men whom the people had placed round him indicated how intelligently the people had acted in selecting agents to give this experiment a fair trial. The work before them was full of difficulty. Statesmen of the highest order of intellect — some, indeed,

in the cabinet of Washington — lacked faith even in republicanism; others trembled for the success of the new plan. After three months of labor in meeting the questions that came up, Madison, still a member of Congress, wrote: "We are in a wilderness without a single footstep to guide us." Washington, a republican, from the deep sincerity of his nature, gave to the plan the full weight of his influence, and was a tower of strength. As difficulties were overcome, doubts were dispelled. The government in a few years proved adequate to meet every emergency. It was firmly established. The third President, in his inaugural, pronounced it "the strongest government on earth," and "the only one where every man, at the call of the law, would fly to the standard of the law, and would meet invasions of the public order as his own personal concern."

Thus was the work of the Revolution at length accomplished by the embodiment of the ideas of local self-government and of national union in the Constitution as the organic law, and the establishment of a republican government that met the wants of the nation.

This result was hailed with joy by men of liberal views all over the world. The feeling of this school was expressed by Mackintosh as he wrote: "America has emerged from her struggle into tranquillity and freedom, into affluence and credit; and the authors of her constitution have constructed a great permanent experimental answer to the sophisms and declarations of the detractors of liberty."[1] Lord Brougham wrote in 1853, of the effects of the revolution, with the establishment of this government: "It animated freemen all over the world to resist oppression. It gave an example of a great people not only emancipating themselves, but governing themselves without even a monarch to control or an aristocracy to restrain them; and it demonstrated for the first time in the history of the world, contrary to all the pre-

[1] Miscellaneous Works of Sir James Mackintosh, 581.

dictions of statesmen and the theories of speculative inquirers, that a great nation, when duly prepared for the task, is capable of self-government; or, in other words, that a purely republican form of government can be formed and maintained in a country of vast extent, peopled by millions of inhabitants."[1]

The republican government was a success, because in its operation it met the needs of the two fundamental conditions of American political life, diversity and union, as correlative forces — on the one hand, the development of the commonwealth or the State; and, on the other, of the union or the nation. Lord Brougham appreciated the difficulty of framing an organic law prescribing the degrees of power which independent authorities, acting on the same people, might exercise without antagonism; securing efficiency to the general government, while leaving unimpaired the powers of the States. After analyzing the Constitution, he pronounced the "means devised the very greatest refinement in social policy to which any state of circumstances has given rise or to which any age has given birth."[2]

When this problem was solved, the Republic attained a firm foundation. It has been said that "no greater problem in statesmanship remains to be solved and no greater contribution to civilization to be made."[3] The advance in political science, however, did not stop with the achievement of the founders of the Republic; but there can be no question respecting the value of this division of power as a conservative force. It is the equilibrium of the system. It is the hope and guaranty of its permanency. It is the mission of the Republic to present the example of a polity, as an instrument to promote the common good, free from centralism on the one hand, and on the other from the checks and balances, or organized antagonisms, which seek to preserve liberty by obstructing the exercise of power.[4]

[1] Political Philosophy, iii. p. 329.
[2] Ibid., 336.
[3] Brownson's American Republic, 409.
[4] Ibid., 409.

The operation of the Constitution equalled the most sanguine expectations of its friends.[1] There were angry controversies and fierce party struggles: it was interpreted and applied by political leaders under the bias of their several aims; but all the differences ended under its authority. The decisions of the tribunals appointed to settle them were acquiesced in as those of the majority. Other modes were suggested in exciting periods. The maxim, however, was acted on, that the power which made the government alone could unmake it; that the hand that imparted the life-giving principle must give the death-dealing stroke. It was ordained that the Constitution should be the supreme law of the land until the people of three-fourths of the States should alter it. This was accepted as public law.[2]

The increase of population and wealth, the enterprise in developing the boundless resources of the land; educational institutions in every quarter; freedom to worship God established, almost everywhere on the voluntary principle, with the result of a general maintenance of the Christian religion; the majestic play of the political machine in every exigency of peace or war, — presented a wonderful spectacle of stability and progress. An eminent British historian, after a ten years' study of governments from the earliest times, wrote, in 1861, of this government, that it "actually secured, for what is really a long period of time, a greater amount of combined peace and freedom than was ever before enjoyed by so large a portion of the earth's surface. There have been, and still are, vaster despotic empires; but never before has so large an inhabited territory remained for more than seventy years in the enjoyment of internal freedom and of exemption from the scourge of internal war."[3]

At the close of the period here named, the Republic was

[1] This remark will be found in the inaugural address of John Adams.

[2] This view was taken by John Taylor, of Caroline, in his Works.

[3] History of Federal Government from the Foundation of the Achaian League to the Disruption of the United States, by Edward A. Freeman, i. 112.

called to meet its great ordeal. When people in a large section of the country refused obedience to the supreme law of the Constitution, the public authorities under it issued a call for its maintenance by arms. Millions responded to this call as "their own personal concern." For four years the world looked with wonder on the gigantic struggle. The verdict rendered in the tribunal of force was in favor of the Constitution, — that there shall be but one Republic, with one law for all. It is an assurance that this republican government, based on the ideas of the Declaration of Independence, will be transmitted to posterity. The glaring inconsistency between these ideas, everywhere on the lips at the birth of the nation, and the fact of human bondage everywhere recognized in the local law, was swept entirely away by this awful providence. That supreme law now recognizes only the free and independent man as the unit of free and independent States, while all are associated in an indissoluble union.[1]

The unnatural struggle being over, the million of soldiers, following the example of the armies of the Revolution, returned to their peaceful avocations as citizens. The way was opened for the resumption by the people in insurrection of their relations to the Union.

The tide of population is bearing a Christian civilization, as embodied in American institutions, over the vast region between the Mississippi and the Pacific Coast. The process is simple. Individuals purchase land; they "from the gift of God were in actual possession of the rights of man;"[2] the law protects them; under its ægis they gather into neighborhoods; on the principle of contiguity, because they dwell near each other, they form municipalities, and become a territory with a government formed by Congress. On reaching an adequate population,

[1] See page 4.

[2] Ramsay, History of the United States, iii. p. 8., where are comments on the difference between American and European principles in colonizing.

they form a constitution, become a State, and are admitted into the Union on a footing of equality with the original States. Every new State is an additional guaranty for the perpetuity of the Union.

In this manner the path of progress, like the sun, is from the east to the west. "As," wrote in 1758, Nathaniel Ames the father of the renowned Fisher Ames, "the celestial light of the gospel was directed here by the finger of God, it will doubtless finally drive the long, long night of heathenish darkness from America. So arts and sciences will change the face of nature in their tour from hence over the Apalachian Mountains to the Western Ocean; and, as they march through the vast desert, the residence of wild beasts will be broken up, and their obscene howl cease for ever. Instead of which, the stones and trees will dance together at the music of Orpheus, the rocks will disclose their hidden gems, and the inestimable treasures of gold and silver be broken up. Huge mountains of iron ore are already discovered, and vast stores are reserved for future generations: This metal, more useful than gold and silver, will employ millions of hands, not only to form the martial sword and peaceful share, alternately, but an infinity of utensils improved in the exercise of art and handicraft amongst men. Nature through all her works has stamped authority on this law; namely that all fit matter shall be improved to its best purposes. Shall not, then, those vast quarries that teem with mechanic stone, those for structure be piled into great cities, and those for sculpture to perpetuate the honor of renowned heroes, even those who shall now save their country? O ye unborn inhabitants of America! should this page escape the destined conflagration at the year's end, and these alphabetical letters remain legible, — when your eyes behold the sun after he has rolled the season round for two or three centuries more, you will know that in Anno Domini, 1758, we dreamed of your times."[2]

[1] Ames's Almanac, 1758, one of the most remarkable prophecies relating to America.

The founders of the Republic left it as their dying injunction to cherish the Union. Washington embodied their spirit in his farewell address, in which he presents it as the palladium of political safety and prosperity. Andrew Jackson gave expression to the determined will of the nation, in the terse sentiment spoken at the right time, "The Federal Union, it must be preserved." Abraham Lincoln, the martyr-president, said that the thousands who died for their country on the late battle-fields gave their lives "that the nation might live," and "that governments of the people, by the people, and for the people, should not perish from the earth."

In the language of one of these Presidents: "It is not in a splendid government supported by aristocratic establishments that the people will find happiness or their liberties protection; but in a plain system, void of pomp, — protecting all and granting favors to none, — dispensing its blessings like the dews of heaven unseen and unfelt, save in the freshness and beauty they contribute to produce. It is such a government that the genius of our people requires, — such a one only under which our States may remain for ages to come, united, prosperous, and free."

APPENDIX.

APPENDIX.

I.

PLAN OF UNION, IN THE HANDWRITING OF THOMAS HUTCHINSON.

From Massachusetts Archives, Vol. vi. pp. 171-176.

A plan of Union of His Majesty's Colonies on the continent for their mutual defence and security.

It is humbly proposed that by act of Parliament the House of Representatives of each colony be enjoined, within a limited time after the passing of such act, to choose members to represent them in a grand council, in the following proportion; viz.: —

Massachusetts Bay	7	Rhode Island	2
Connecticut	5	New Jersey	3
New York	4	Maryland	4
Pennsylvania	6	North Carolina	4
Virginia	7	In the whole	48
South Carolina	4		
New Hampshire	2		

That the President for said Grand Council be appointed by and receive his salary from the Crown, and that, as soon as conveniently may be after such appointment, he call a meeting of the Council, to be held first in the city of Philadelphia.

That the assent of the President be made necessary to all acts of the Council, saving the choice of a speaker.

That the Council without their own consent shall neither be dissolved, nor prorogued, nor continued sitting longer than six weeks at any one time.

That the Council shall meet once in every year, and at such other times as they shall adjourn to as occasion shall require; the place

for the next meeting always to be determined before such adjournment and upon an emergency. The President, having obtained in writing the consent of seven of the members, may call a special meeting of the Council at any time or place, provided due and timely notice be given.

That the members of the Council be paid ten shillings sterling for every day's journeying and attendance, twenty miles to be accounted a day's travel.

That upon the expiration of three years there shall be a new election of members for the Council, and always upon the death or resignation of any member shall be supplied by a new choice at the next sitting of the House of Representatives of the colony to which the deceased or resigning member belonged.

That no member of the Council shall be chosen or appointed to any office, civil or military, by the President or Council.

That twenty-five members shall be a quorum, provided there be among them one or more members from a major part of the colonies.

That in case of the death or other incapacity of the President, the speaker of the Council for the time being shall be vested with the powers and authorities of a President, to continue until there be an appointment by the Crown.

That the President, by the advice of the Council, may hold and manage all Indian treaties in which the general interest or welfare of the colonies may be concerned; and shall have the sole power of making peace with or declaring war against the Indian nations, of restraining and regulating all Indian trade by laws and orders, with penalties annexed not extending to life and limb, all offences against such laws or orders to be tried and determined within the government where the offence shall be committed, according to the course of judicial proceeding in such government, in like manner as if such offence had been committed against the laws of such colony, and any offence that may be committed in any parts that shall not be within the certain bounds of any colony shall and may be tried and determined in the colony where the offender shall be taken.

That the President and Council shall have power to raise and pay soldiers, and build forts for the defence of any of the colonies, and for removing all encroachments upon His Majesty's territories, and for the annoyance of His Majesty's enemies, but not to impress men in any colony without the consent of its legislature.

And in order to raise moneys sufficient for these purposes.

That the said President and Council be empowered to lay some general duty on wines and spirituous liquors or other luxurious consumptions as shall appear to them just and equal on the several colonies, each colony to pay in proportion to their members; and if it shall appear that the sum raised by any colony falls short of such proportion, and the deficiency shall not forthwith be paid by such colony, then, and as oft as it shall so happen, the said President and Council shall have power to lay additional duty on such colony until the deficiency be made good; and if the sum raised from any colony shall exceed its proportions, the surplus shall remain or be paid into the general treasury of such colony. And the accounts of the deposition of all moneys raised shall be annually settled, that the members of the council may make report of the same to the respective assemblies.

That the President and Council shall appoint officers for collecting all such duties as shall be agreed on; and all laws and orders for enforcing the payment thereof in any and every colony, and also all laws and orders for restraining supplies to and communication with any of His Majesty's enemies, whether by flags of truce or in any other manner, shall be as fully and effectively observed and executed as if they had been the laws of that particular colony where any offence shall be committed, and all offences against such laws and orders shall be tried and determined accordingly.

That the President and Council may appoint a general treasurer, to reside in such colony as they shall judge most convenient, and also a particular treasurer for each colony, and from time to time may order the sums in each treasury into the general treasury, or draw on any particular treasurer as they shall think proper; but no money shall issue out of any treasury without the special order of the President by the advice of the Council, except where sums have been appropriated to particular purposes, and the President shall be specially empowered to draw for such sums.

That the supreme command of all the military force employed by the President and Council be in the President, and that all subordinate military officers be appointed and commissioned by the President, with the advice of the Council; and all civil officers, as treasurers, collectors, clerks, &c., shall be chosen by the Council and approved by the President; and in case of vacancy in any civil or military office, the Governor of the colony where the vacancy shall happen may appoint some person to supply the same until the pleasure of the Governor and Council shall be known.

That notwithstanding the powers granted to the President and Council for the general defence of the colonies, yet any colony shall be at liberty upon an emergency to come into any measures for their particular defence, or for the defence of any neighboring colony when attacked, the reasonable charge whereof to be allowed by the President and Council, and paid out of the general stock; but no colony shall be at liberty to declare war against any enemy, or to begin any hostilities, except they have the direction and allowance of the President and Council.

That the continuation of the powers granted to the President and Council be limited to the term of six years from their first meeting, unless at the expiration of said six years there should be war between Great Britain and France, in which case the said powers shall continue until the end of said war and then expire; and, in case any stock shall then remain in the general treasury, the same shall be restored to the several governments in proportion to their respective contributions.

Which is humbly submitted.

P. SAML. WATTS, PER ORDER.

In Council, Dec. 26, 1754. Read and sent down.

II.

JOHN ADAMS TO MERCY WARREN.

FROM ORIGINAL MANUSCRIPTS IN THE POSSESSION OF HON. CHARLES H. WARREN.

QUINCY, 1807.

DEAR MADAM, — In the 306 page of your first volume, there are certain traits that I had overlooked: "Richard Henry Lee, Esq., was the first who dared explicitly to propose a Declaration of Independence. The proposal spread a sudden dismay, — a silent astonishment seemed to pervade the assembly," &c. These expressions, Madam, could only have arisen from misinformation; or perhaps I shall express myself more properly, by calling it a want

of more accurate and particular information of the proceedings in Congress. The truth is, the subject had long been perfectly familiar to the contemplation of all the members of Congress. The three great subjects, a Declaration of Independence, a Confederation of the States, and Treaties with Foreign Powers, had been held up by me to the view of Congress for more than a year before this motion was made by Mr. Lee in concert with me. I had myself, for more than a year, scarcely suffered a day to pass without publicly adverting to these as measures of indispensable necessity, and earnestly urging Congress, by various arguments, to prepare themselves and the States and people to adopt them. It appeared to me that those gentlemen who still flattered themselves with hopes of reconciliation were extremely deficient in their knowledge of the haughty temper of the British Government and Nation, and of their sovereign contempt of us. It was very well known that some of the members would never consent. For a whole year I had earnestly contended for the first step, which appeared to me to be necessary, which was a recommendation to all the States to take the whole power of the Nation into their own hands, by instituting governments by the original authority of the people. It was not till the fifteenth day of May, 1776, that we carried the resolution.

This measure, also, was concerted between Mr. Lee and myself, and supported by us, and carried after a long debate. Mr. Lee and myself were appointed to draw up the resolution: it was drawn by my own hand, agreed to by Mr. Lee, and reported by me as Chairman of the Committee. If you will please to read that resolution in the Journal of Congress, you will find that it amounted to a complete Declaration of Independence. What was it else? It was a complete dissolution of all allegiance to the king. It was a complete assumption of all authority as well as powers. It was considered in this light by those who opposed it. Mr. Duane called it "a Machine to make independence." But in fact it was an assumption of Independence itself. There could be, therefore, no real astonishment in anybody when the motion was made by Mr. Lee. If there was any affectation of astonishment, it was only by those who determined to oppose it to the last, the greatest part of whom left us upon that occasion, some recalled by their constituents, and others went over to the enemy.

"The measure was advocated by John Adams." So it was, and so it had been for a year before; and so many arguments used, and

so many counter arguments used against it, that neither Mr. Adams nor Mr. Dickinson, produced a single new idea, or suggested a new thought. Mr. Adams "invoked the God of Eloquence." It is amazing to me whence this ridiculous story could have originated. I think I have read it in some of the former historians, from whom probably you received it. But you may depend upon it, Madam, it is totally false. The Supreme Being, it is true, is the God of Eloquence, and of every other good; but I should never have invoked him under that title. I remember very well what I did say; but I will previously state a fact as it lies in my memory, which may be somewhat explanatory of it. In the previous multiplied debates which we had upon the subject of independence, the delegates from New Jersey had voted against us: their constituents were informed of it, and recalled them, and sent us a new set on purpose to vote for independence. Among these were Chief Justice Stockton and Dr. Witherspoon. In a morning when Congress met, we expected the question would be put and carried without any further debate; because we knew we had a majority, and thought that argument had been exhausted on both sides, as indeed it was, for nothing new was ever afterwards advanced on either side. But the Jersey delegates, appearing for the first time, desired that the question might be discussed. We observed to them that the question was so public, and had been so long discussed in pamphlets, newspapers, and at every fireside, that they could not be uninformed, and must have made up their minds. They said it was true they had not been inattentive to what had been passing abroad, but they had not heard the arguments in Congress, and did not incline to give their opinions until they should hear the sentiments of members there. Judge Stockton was most particularly importunate, till the members began to say, "Let the gentleman be gratified," and the eyes of the assembly were turned upon me, and several of them said, "Come, Mr. Adams, you have had the subject longer at heart than any of us, and you must recapitulate the arguments." I was somewhat confused at this personal application to me, and would have been very glad to be excused; but as no other person arose, after some time I said, "This is the first time of my life when I seriously wished for the genius and eloquence of the celebrated Orators of Athens and Rome: called in this unexpected and unprepared manner to exhibit all the arguments in favor of a measure the most important in my judgment that had ever been discussed in civil or political society, I had no

art or oratory to exhibit, and could produce nothing but simple reason and plain common sense. I felt myself oppressed by the weight of the subject; and I believed if Demosthenes or Cicero had ever been called to deliberate on so great a question, neither would have relied on his own talents without a supplication to Minerva, and a sacrifice to Mercury or the God of Eloquence." All this, to be sure, was but a flourish, and not, as I conceive, a very bright exordium; but I felt awkwardly. But nothing that I said had the most remote resemblance to "an invocation of the God of Eloquence." I did not think it necessary in that assembly to make an ostentation of piety by a solemn prayer; but I believe I can safely say I had supplicated the Great Governor of the universe in relation to the independence of my country as often and as devoutly as Mr. Dickinson had done.

Whether this crude idea was vented by any members of Congress from ill-will to me or merely from misunderstanding or misrecollection, I know not. I wish some one had remembered the speech, for it is almost the only one I ever made that I wish was literally preserved. The delegates from New Jersey declared themselves perfectly satisfied; and the question prevailed, notwithstanding Mr. Dickinson's superior "brilliancy of epithet." And now, Madam, I will relate an anecdote. Some of these expressions of mine have got into a work of the Abbé Raynal, and I will tell you in what manner. The Abbé was very inquisitive with me after my speeches in Congress; said he had read some speeches in some of the publications in Europe, which were attributed to me, and he wished I would furnish him with any that I had published or delivered. I said if he had seen any such speeches they were forgeries, for I never had published nor written a speech in my life made in any public assembly. Nor did I wish that any one I had ever delivered should be preserved in form, excepting one, and that was upon the question of independence. That had appeared to me the greatest question that ever was agitated, that the consequences of it would be felt over the whole globe; and, therefore, when I was called to discuss it, I owned I had wished for the "genius and eloquence of the celebrated Orators of Athens and Rome," &c.; but that I had made no minutes of what I said, and no part of it had been published. I thought no more of the conversation till the Abbé Pamphlet came out, and then I read, "Que n'ai-je reçu le génie et l'éloquence des célèbres Orateurs

d'Athène et de Rome," &c., and these are all the true words of my speech that have ever appeared in print. I have mentioned this, because even this passage of Raynal has been belied in America to my disadvantage.

I am, Madam, as usual,

JOHN ADAMS.

MRS. MERCY WARREN.

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Cambridge: Press of John Wilson and Son.